MOSS' POLICE MANUAL

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MOSS'
CHICAGO POLICE MANUAL

CHICAGO
T. H. FLOOD & CO.
1923

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T. H. FLOOD & CO.

MOSS'
CHICAGO POLICE MANUAL

Containing the infamous crimes, their definition, punishment attached, and the proof necessary to convict; together with other felonies and state misdemeanors, familiar to police officers, and the definitions thereof with the necessary proof.

Giving, in full, the State statutes and City ordinances regarding the carrying and sale of deadly weapons and the gaming laws. Also the city ordinances applicable to the police department and the penalties attached thereto.

Containing also over one hundred legal words and phrases and their meaning; the functions of the various courts in Cook County, and the duties of State, County, and City officers, and other knowledge essential to a police officer.

Compiled by

STEWART P. MOSS,
Sergeant of Police,
20TH DISTRICT.

Corrected to:
JUNE 25TH, '23.

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506646

OFFICE OF THE STATE'S ATTORNEY
ROBERT E. CROWE
CHICAGO

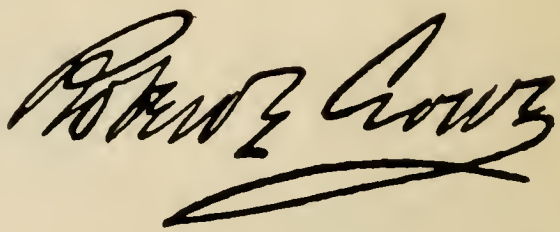
June 26, 1923.

Sergeant Stewart P. Moss,
Chicago Police Department,
Chicago, Illinois.

Dear Sergeant:—

I have read with a great deal of interest your Chicago Police Manual and wish to compliment you on the same. I believe it will serve a useful purpose in the Police Department.

Yours truly,



CITY OF CHICAGO
Office of
SUPERINTENDENT OF POLICE

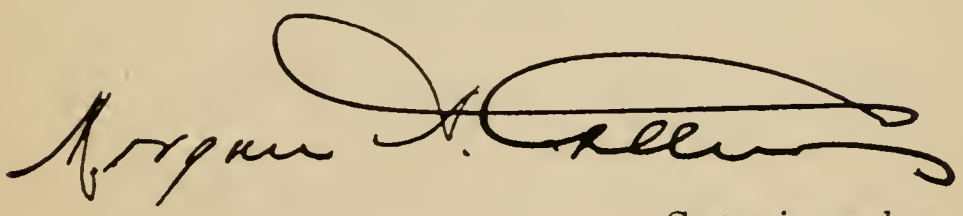
June 27th, 1923.

Sergeant Stewart Moss,
State's Attorney's Office,
Criminal Court Bldg.,
Chicago, Illinois.

Sir:—

In my opinion there are many things of interest in your book and should be helpful to police officers.

Yours truly,



Superintendent.

STATE CONSTITUTION

BILL OF RIGHTS

1. All men are by nature free and independent, and have certain inherent and inalienable rights—among these are life, and the pursuit of happiness. To secure these rights and the protection of property, governments are instituted among men, deriving their just powers from the consent of the governed.

2. No person shall be deprived of life, liberty or property without due process of law.

3. The free exercise and enjoyment of religious profession and worship, without discrimination, shall forever be guaranteed; and no person shall be denied any civil or political right, privilege or capacity, on account of his religious opinions; but the liberty of conscience hereby secured shall not be construed to dispense with oaths, or affirmations, excuse acts of licentiousness, or justify practices inconsistent with the peace or safety of the State. No person shall be required to attend or support any ministry or place of worship against his consent, nor shall any preference be given by law to any religious denomination or mode of worship.

4. Every person may freely speak, write and publish on all subjects, being responsible for the abuse of that liberty; and in all trials for libel, both civil and criminal, the truth, when published with good motives and for justifiable ends, shall be a sufficient defense.

5. The right of trial by jury as heretofore enjoyed, shall remain inviolate; but the trial of civil cases before justices of the peace by a jury of less than twelve men may be authorized by law.

6. The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures shall not be violated; and no warrant shall issue without probable cause, supported by affidavit, particularly describing the place to be searched, and the persons or things to be seized.

7. All persons shall be bailable by sufficient sureties, except for capital offenses, where the proof is evident or the presumption great; and the privilege of writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

8. No person shall be held to answer for a criminal offense unless upon indictment of a grand jury, except in cases in which the punishment is by fine, or imprisonment otherwise than in the penitentiary, in cases of impeachment, and in cases arising in the army and navy, or in the militia, when in actual service in time of war or public danger; provided, that the grand jury may be abolished by law in all cases.

9. In all criminal prosecutions the accused shall have the right to appear and defend in person and by counsel, to demand the nature and cause of the accusation and to have a copy thereof, to meet the witnesses face to face, and to have process to compel the attendance of witnesses in his behalf, and a speedy and public trial by an impartial jury of the county or district in which the offense is alleged to have been committed.

10. No person shall be compelled in any criminal case to give evidence against himself, or be twice put in jeopardy for the same offense.

11. All penalties shall be proportioned to the nature of the offense, and no conviction shall work corruption of blood or forfeitures of estate; nor shall any person be transported out of the state for any offense committed within the same.

12. No person shall be imprisoned for debt, unless upon refusal to deliver up his estate for the benefit of his creditors, in such manner as shall be prescribed by law, or in cases where there is strong presumption of fraud.

13. Private property shall not be taken or damaged for public use without just compensation. Such compensation, when not made by the state, shall be ascertained by a jury, as shall be prescribed by law. The fee of land taken for railroad tracks, without the consent of the owners thereof, shall remain in such owners, subject to the use for which it is taken.

14. No *ex post facto* law, or law impairing the obligation of contracts, or making any irrevocable grant of special privileges or immunities, shall be passed.

15. The military shall be in strict subordination to the civil power.

16. No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war, except in the manner prescribed by law.

17. The people have the right to assemble in a peaceable manner to consult for the common good,

to make known their opinions to their representatives, and to apply for redress of grievances.

18. All elections shall be free and equal.

19. Every person ought to find a certain remedy in the laws for all injuries and wrongs which he may receive in his person, property or reputation; he ought to obtain by law, right and justice freely, and without being obliged to purchase it, completely and without denial, promptly, and without delay.

20. A frequent recurrence to the fundamental principles of civil government is absolutely necessary to preserve the blessings of liberty.

FELONY.

A felony is an offense punishable with death or imprisonment in the penitentiary.

MISDEMEANOR.

Every other offense is a misdemeanor. Where the performance of any act is prohibited by any statute, and no penalty for the violation of such statute is imposed, the doing of such act is a misdemeanor, and may be punished by fine not exceeding $100, or imprisonment in the county jail not exceeding six months, or both in the discretion of the court.

INFAMOUS CRIMES.

Every person convicted of the crime of murder, rape, kidnaping, willful and corrupt perjury or subornation of perjury, arson, burglary, robbery, sodomy, or other crime against nature, incest, forgery, counterfeiting, bigamy, or larceny, if the punishment for said larceny is by imprisonment in the penitentiary, shall be deemed infamous, and

shall be forever thereafter be rendered incapable of holding any office of honor, trust or profit, of voting at any election, or serving as a juror, unless he or she is again restored to such rights by the terms of a pardon for the offense or otherwise according to law: PROVIDED, However, that the foregoing shall not apply to any person who has been heretofore convicted and sentenced, or who may be hereafter convicted and sentenced to the Illinois Reformatory at Pontiac.

CRIMINAL OFFENSE.

A criminal offense consists in a violation of a public law, in the commission of which there shall be a union or joint operation of act and intention, or criminal negligence.

INTENTION.

Intention is manifested by the circumstances connected with the perpetration of the offense, and the sound mind and discretion of the persons accused.

SOUND MIND.

A person shall be considered of sound mind who is neither an idiot nor lunatic, nor affected with insanity, and who hath arrived at the age of fourteen years, or before that age if such person knows the difference between good and evil.

INFANT.

An infant under the age of ten years shall not be found guilty of any crime or misdemeanor.

IDIOT.

An idiot shall not be found guilty or punished for any crime or misdemeanor with which he may be charged. The want of a sufficient mental capac-

ity to form a criminal intent, arising from insanity or idiocy, renders a person incapable of committing a crime.

EX-POST-FACTO LAW.

A party must be punished according to the law in force at the time the offense was committed, for a statute does not and cannot operate upon offenses committed prior to its passage. The constitution of the United States and of this State prohibits the passing of an *Ex-Post-Facto* Law. This has been held to be: 1st. Every law that makes an action done before the passing of the law, and which was innocent when done, criminal. 2nd. Every law that aggravates a crime and makes it greater than when it was committed. 3rd. Every law that changes the punishment and inflicts a greater punishment than the law annexed to the crime when committed. 4th. Every law that alters the legal rules of evidence and receives less or different testimony than the law required at the time of the commission of the offense in order to convict the offender.

A person cannot be twice put in jeopardy for the same offense, whether a misdemeanor or a felony.

PUNISHMENT OF OFFENDERS UNDER EIGHTEEN.

Persons under the age of eighteen years shall not be punished by imprisonment in the penitentiary for any offense except murder, manslaughter, rape, robbery, burglary or arson; in all other cases where a penitentiary punishment is or shall be provided, such person under the age of eighteen years and over the age of sixteen years shall be punished by

confinement in the county jail for a term not exceeding eighteen months, at the discretion of the court.

DOUBLE PUNISHMENT FOR SAME ACT.

The same act may be an offense for violating an ordinance, another offense for violating a statute of the State, and still another for violating a law of the United States, and being separate and distinct offenses, a conviction or acquittal of one of these offenses is not a bar to a prosecution for either of the others. Therefore a conviction or acquittal for a violation of an ordinance is not a defense to an indictment under the Statute for the same act. But the rule is different when exclusive jurisdiction to punish the act is conferred by Statute upon the municipal authorities.

WHEN THE MAXIMUM PENALTY FOR AN OFFENSE BECOMES THE MINIMUM PENALTY FOR THAT OFFENSE. HABITUAL CRIMINAL ACT.

That whenever any person having been convicted of either of the crimes of burglary, grand larceny, horse-stealing, robbery, forgery, or counterfeiting, shall hereafter be convicted of any such crimes, committed after such first conviction, the punishment shall be imprisonment in the penitentiary for the full term provided by law for such crime at the time of such last conviction therefor; and whenever any such person, having been so convicted the second time as above provided, shall be again convicted of any said crimes, committed after said second conviction, the punishment shall be imprisonment in the penitentiary for a period not less than fifteen years; PROVIDED, that such former convic-

tion or convictions, and judgment or judgments shall be set forth in apt words in the indictment.

On any trial for any of the said offenses, a duly authenticated copy of the record of a former conviction and judgment of any court of record, for either of said crimes against the party indicted, shall be *prima facie* evidence of such former conviction, and may be used against such party in evidence.

STATUTE OF LIMITATIONS.

For Murder or Manslaughter. An indictment for the crime of murder or manslaughter may be found at any period after the death of the person alleged to have been killed.

For Arson or Forgery. An indictment for arson or forgery may be found at any time after the commission of the crime.

For Other Felonies. All indictments for other felonies must be found within three years next after the commission of the crime, except as otherwise provided by law.

For Other Offenses. All prosecutions by indictment or otherwise, for misdemeanors, or for any fine or forfeiture under any penal statute, shall be commenced within one year and six months from the time of committing the offense or incurring the fine or forfeiture, except as otherwise provided by law.

MALFEASANCE AND MISFEASANCE.

Malfeasance. Every person holding any public office (whether state, county or municipal), trust or employment, who shall be guilty of any palpable

omission of duty, or who shall be guilty of diverting any public money from the use or purpose for which it may have been appropriated or set apart by law or authorized by law to be contracted for or expended upon the subject matter of the contracts, or who shall be guilty of willful corrupt oppression, malfeasance or partiality, where no special provision shall have been made for the punishment thereof, shall be fined not exceeding $10,000, and may be removed from his office, trust or employment. (The unjust performance of some act which the party had no right, or which he had contracted not to do.)

Misfeasance is the performance of an act which might lawfully be done, in an improper manner, by which another person receives an injury; or the wrongful and injurious exercise of lawful authority, or the doing of a lawful act in an unlawful manner, while *Malfeasance* is doing an act which is positively unlawful or wrongful.

PUNISHMENT AND PROSECUTION.

All Offenses Herein Defined shall be prosecuted and on conviction punished as by this Act is prescribed, and not otherwise; and all offenses not provided for by statute law, may be punished by fine or imprisonment, in the discretion of the court: PROVIDED, the fine shall in no case exceed $500, and the imprisonment one year.

MURDER.

Murder is the unlawful killing of a human being, in the peace of the people, with malice aforethought either expressed or implied. The unlawful killing may be perpetrated by poisoning, striking, starving, drowning, stabbing, shooting, or any other of the

various forms or means by which human nature may be overcome, and death thereby occasioned. Express malice is that deliberate intention unlawfully to take away the life of a fellow creature, which is manifested by external circumstances capable of proof. Malice may be implied when no considerable provocation appears, or when all the circumstances of the killing show an abandoned and malignant heart.

Punishment.

Whoever is found guilty of murder shall suffer the punishment of death or imprisonment in the penitentiary for his natural life, or for a term not less than fourteen years. If the accused is found guilty by a jury, they shall fix the punishment by their verdict; upon a plea of guilty the punishment shall be fixed by the court.

In order to make the killing either murder or manslaughter, it is requisite that the party die within a year and a day after the stroke received or the cause of death administered, in the computation of which the whole of the day on which the hurt was done shall be reckoned the first.

Proof.

It must appear that the deceased was a human being. It must be proved that the person alleged to have been murdered has been killed. The party killed must be proved to be the same person named in the indictment. The identity must be established.

It is essential in all cases to show that the deceased was living at the time the alleged mortal blow was struck, or the mortal wound or injury received. The death must have been caused by the injury. The means used to kill.

The killing may be without violence—that is neglect. Proof that the killing was substantially in the manner alleged is sufficient.

The deceased must have been "in the peace of the people" by which is meant in the enjoyment of the right of existence at the particular time and place when and where he was killed.

It must be proved that the prisoner killed the deceased. The killing must be shown to have been "with malice aforethought, either expressed or implied."

Express Malice is that deliberate intention unlawfully to take away the life of a fellow creature which is manifested by external circumstances capable of proof. Malice shall be implied when no considerable provocation appears, or when all the circumstances of the killing show an abandoned and malignant heart.

Malice is presumed where one person deliberately injures another or from the fact of killing unaccompanied with circumstances of extenuation.

The time of both the injury and death must be proved so that the death may appear to have taken place within a year and a day after the mortal injury.

MANSLAUGHTER.

Manslaughter is the unlawful killing of a human being without malice, expressed or implied, and without any mixture of deliberation whatever. It must be voluntary, upon a sudden heat of passion, caused by provocation apparently sufficient to make the passion irresistible, or involuntary in the commission of an unlawful act, or a lawful act without due caution or circumstances.

Voluntary.

In cases of voluntary manslaughter, there must be a serious and highly provoking injury inflicted upon the person killing, sufficient to excite an irresistible passion in a reasonable person, or an attempt by the person killed to commit a serious personal injury on the person killing. The killing must be of that sudden, violent impulse of passion supposed to be irresistible; for if there should appear to have been an interval between the assault or provocation given, and the killing, sufficient for the voice of reason and humanity to be heard, the killing shall be attributed to deliberate revenge, and punished as murder.

Involuntary.

Involuntary manslaughter shall consist in the killing of a human being without any intent to do so, in the commission of an unlawful act, or a lawful act which probably might produce such a consequence, in an unlawful manner: PROVIDED, Always, that where such involuntary killing shall happen in the commission of an unlawful act, which in its consequences naturally tends to destroy the life of a human being, or is committed in the prosecution of felonious intent, the offense shall be deemed and adjudged to be murder.

Punishment.

Whoever is guilty of manslaughter shall be imprisoned in the penitentiary for his natural life, or for any number of years. If the accused is found guilty by a jury, they shall fix the punishment by their verdict; upon a plea of guilty, the punishment shall be fixed by the court. Time of death same as murder—a year and a day.

Evidence.

The evidence in case of manslaughter is substantially the same as in murder, except that in the case of manslaughter no malice must exist or is required to be proved, for it is the want of malice and deliberation which reduces the crime of murder to manslaughter. To reduce the homicide from murder to manslaughter there must be both provocation and passion.

JUSTIFIABLE HOMICIDE.

Justifiable homicide is the killing of a human being in necessary self-defense or in the defense of habitation, property or person, against one who manifestly intends or endeavors by violence or surprise to commit a known felony, such as murder, rape, robbery, burglary and the like, upon either person or property, or against any person or persons who manifestly intend and endeavor, in a violent, riotous or tumultuous manner, to enter the habitation of another for the purpose of assaulting or offering personal violence to any person dwelling or being therein. A bare fear of any of these offenses, to prevent which the homicide is alleged to have been committed, shall not justify the killing. It must appear that the circumstances were sufficient to excite the fears of a reasonable person, and that the party killing really acted under the influence of those fears, and not in a spirit of revenge.

HOMICIDE BY MISADVENTURE.

Excusable homicide, by misadventure, is when a person in doing a lawful act, without any intention of killing, yet unfortunately kills another.

RAPE.

Rape is the carnal knowledge of a female, forcible and against her will. Every male person of the age of seventeen years and upwards, who shall have carnal knowledge of any female person under the age of sixteen years and not his wife, either with or without her consent, shall be adjudged guilty of the crime of rape; provided, that in case the said parties shall be legally married to each other before conviction, any legal proceedings shall abate, and provided, that any male person of the age of sixteen years and upwards who shall have carnal knowledge of a female forcibly and against her will shall be guilty of rape. Every person convicted of the crime of rape shall be imprisoned in the penitentiary for a term of not less than one year and may extend to life.

Proof.

There must be a penetration, or the parts of the male must be inserted in those of the female, which is an essential part of the offense and must be proved.

It must be proved that the rape was done by force and against the will of the woman upon whom it was committed, except when committed upon a female child under the age of sixteen years.

It shall not be necessary to prove emission to convict any person of the crime of rape.

KIDNAPING.

Whoever willfully and without lawful authority forcibly or secretly confines or imprisons any other person within this State against his will, or forcibly carries or sends such person out of the State, or forcibly seizes or confines, or inveigles, or kidnaps

any other person, with the intent to cause such person to be secretly confined or imprisoned, in this State against his will, or to cause such person to be sent out of the State against his will, shall be imprisoned in the penitentiary for a term of not less than one year and not exceeding five years or fined not exceeding $1000, or both.

This section shall not extent to parent taking his or her minor child, unless such parent is deprived of the right to have the custody of such child by the order of a court having competent jurisdiction.

Child Under Twelve. Whoever willfully and without authority forcibly takes or carries away any infant under the age of twelve years, without the consent of the parent, guardian or lawful custodian of such child with intent to conceal or imprison such infant, or whoever willfully and without authority conceals or imprisons an infant under the age of twelve years, without the consent of the parent, guardian or lawful custodian of such infant, shall, upon conviction, be imprisoned in the penitentiary for his or her natural life, or for any number of years not less than one year.

For Ransom. That every person who shall unlawfully and forcibly seize and secretly confine within this State, or take, carry or send, or cause to be taken, carried or sent out of this State, any person against his will or against the will of the parent, guardian or legal custodian of such person, for the purpose of extorting ransom or money or other valuable thing or concession from such person, his parent, guardian or legal custodian, and every person who shall inveigle, decoy or kidnap with intent secretly to confine within this State, or take, carry or send, or cause to be taken, carried or

sent out of the same, any person, against his will or against the will of the parent, guardian or legal custodian of such person, for the purpose of extorting ransom or money or other valuable thing or concession from such person, his parent, guardian or legal custodian shall upon conviction, suffer death, or be punished by imprisonment in the penitentiary for life or any number of years not less than five years.

Any person charged with such offense may be tried in any county into which or through which, the person so seized or inveigled, decoyed or kidnaped shall have been taken, carried or brought.

It will be noted that the 1st section relates to the unlawful imprisonment or carrying away of any person regardless of age and regardless of motive. The 2nd section to the kidnaping of children under twelve years of age, regardless of motive and the 3rd section, kidnaping in order to extort money or ransom.

PERJURY.

Every person, having taken a lawful oath or made affirmation, in any judicial proceeding, or in any other matter where by law an oath or affirmation is required, who shall swear or affirm, willfully, corruptly, and falsely, in a manner material to the issue or point in question, or shall suborn any other person to swear or affirm, as aforesaid, shall be deemed guilty of perjury or subornation of perjury (as the case may be), and shall be imprisoned in the penitentiary not less than one year nor more than fourteen years.

May Be Murder. Every person who, by willful and corrupt perjury, or subornation of perjury, shall procure the conviction and execution of any

innocent person, shall be deemed and adjudged guilty of murder and punished accordingly.

Indictment. In every indictment for perjury or subornation of perjury it shall be sufficient to set forth the substance of the offense charged upon the defendant, and before what court or authority the oath or affirmation was taken, averring such court or authority to have had full power to administer the same together with the proper averments to falsify the matter wherein the perjury is assigned, without setting forth any part of the records or proceedings, either in law or equity, other than as aforesaid, and without setting forth the commission or authority of the court or other authority before whom the perjury was committed, or the manner of administering the same.

Attempt to Suborn. Whoever endeavors to incite or procure any other person to commit perjury, though no perjury is committed, shall be imprisoned in the penitentiary not less than one nor more than five years, or confined in the county jail not exceeding one year and fined not exceeding $1000.

Evidence. The state must prove that the oath was administered by one having competent legal authority to administer an oath.

Proof that the oath was administered and taken in a judicial proceeding, or in a manner where, by law, an oath or affirmation was required, is indispensable.

The substance of the matter sworn to, alleged to be false, must be shown.

It must be proved that the matter sworn to was material to the issue or point in question.

Proof that the matter sworn to by the defendant, or some part of it was false is indispensable.

It must be proved that the false statement was willfully and corruptly made.

ARSON.

Every person who shall willfully and maliciously burn or cause to be burned any dwelling house, kitchen, office, shop, barn, stable, storehouse, warehouse, malthouse, stilling-house, factory, mill, pottery or other building, the property of any other person, or any church, meeting-house, school-house, state-house, court-house, work-house, jail or other public building, or any boat or other water craft, or any bridge of the value of fifty dollars erected across any of the navigable waters of this state, such person so offending shall be deemed guilty of arson, and upon conviction thereof shall be punished by imprisonment in the penitentiary for a term of years not less than one year and not more than twenty; and should the life of any person be lost in consequence of any such burning, such offender shall be deemed guilty of murder and punished accordingly.

Arson to Defraud. Whoever willfully or maliciously burns or sets fire to, or causes to be burned, or set on fire, any building, or any goods, wares, merchandise or other chattels which are at the time insured against loss by fire, with the intent to injure the insurer, whether such person is the owner of the property burned or not, shall be imprisoned in the penitentiary not less than one nor more than ten years.

Other Property. Whoever willfully and maliciously burns or causes to be burned any barrack, cock, crib, rick or stack of hay, corn, wheat, oats, barley, or other grain or vegetable product of any

kind, or any pile of coal, wood, or other fuel, or any pile of boards, plank, posts, rails or other lumber, or any personal property whatever of another, shall be imprisoned in the penitentiary not less than one nor more than six years.

Attempt to Commit. Whoever willfully or maliciously sets fire to, or attempts to set fire to, any buildings or other property mentioned in sections thirteen and fifteen of this act, with intent to burn or destroy same, shall be imprisoned in the penitentiary not less than one and not more than two years and fined not exceeding $5000.

Of One's Own Property. If the owner, lessee or occupant of any of the buildings or property mentioned in sections thirteen and fifteen of this act, sets fire or attempts to set fire to or burn the same, with intent to set on fire the building or property of another he shall be deemed guilty as if the property so set on fire, or attempted to be set on fire or burned, were owned or occupied by another.

Of Woods, Prairies and Other Grounds. If any person shall, at any time hereafter, willfully and intentionally or negligently and carelessly set on fire or cause to be set on fire any woods, prairies or other ground whatsoever, he shall be fined not less than $5 nor more than $100. PROVIDED, this section shall not extend to any person who shall set on fire or cause to be set on fire any woods or prairies adjoining his own farm, plantation, or inclosure, for the necessary preservation thereof from accident by fire, between the last day of November and the first day of March by giving to his neighbors and the owner or occupant of such land, and any person likely to be affected thereby, two days notice of such intention.

Evidence. An actual burning must be proved. A building need not be completed to make it the subject of the offense of arson.

The building or structure must be proved to be the property of another or to belong to the public.

It must be proved that the burning was willful and malicious.

It is necessary to aver the guilty intent; that is if the building was insured against loss by fire, that the accused set it on fire with the intent to injure the insurer.

BURGLARY.

Whoever willfully and maliciously and forcibly breaks and enters, or willfully and maliciously, without force (the doors and windows being open), enters into any dwelling house, kitchen, office, shop, store-house, ware-house, malt-house, stilling-house, mill, pottery, factory, wharf-boat, steamboat, or other water craft, freight or passenger railroad car, church, meeting house, schoolhouse, or other building, with intent to commit murder, robbery, rape, mayhem or other felony or larceny, shall be deemed guilty of burglary and be imprisoned in the penitentiary for a term not less than one year nor more than twenty years: PROVIDED, however, that whoever willfully and maliciously and forcibly breaks and enters, or willfully and maliciously, without force (the doors and windows being open), enters any dwelling house, in the night time, with the intent to commit murder, robbery, rape, mayhem or other felony or larceny, shall upon conviction, be imprisoned in the penitentiary for a term of not less than five years and not more than twenty years: PROVIDED, further, that, if, at the time of committing the offense mentioned in the proviso, such per-

son shall be found with any deadly drug, deadly weapon, or anaesthetic upon his person or in his possession, he shall on conviction, be punished by imprisonment in the penitentiary for any number of years not less than five.

Attempt to Commit. Whoever shall attempt to break and enter in the night time any building, ship or vessel, with the intent to commit the crime of rape, murder, robbery, larceny or other felony, shall be imprisoned in the penitentiary not less than one nor more than five years.

Burglar Found in Building. Whoever is found in any building, ship or vessel, with intent to commit the crime of murder, rape, robbery, larceny or other felony, shall be imprisoned in the penitentiary not less than one year nor more than five years.

Having Burglars Tools. Whoever is found having any picklock, crow, key, bit or other instrument or tool, with intent to break and enter any building, ship or vessel, with intent to commit the crime of murder, rape, robbery, larceny, or other felony, shall be imprisoned in the penitentiary not less than one nor more than two years.

Burglary With Explosives. Whoever with the intent to commit any crime, breaks and enters any building, and for the purpose of committing any crime uses or attempts to use any nitro-glycerine, dynamite, gunpowder or any other explosive, shall be deemed guilty of burglary with explosives, and shall be imprisoned in the penitentiary not less than five, nor more than twenty years.

Evidence. Time must be shown. It must be proved that the defendant forcibly broke and entered the building unless the doors and windows were open. A forcible breaking may be by lifting

a latch and opening the door; picking, turning back or opening the lock with a false key or other means; removing or breaking a pane of glass and inserting the hand or even the finger; pulling up or down any unfastened sash; the break must be such as will afford the burglar an opportunity of entering so as to commit the intended felony.

An entry is required as well as a breaking. It is not necessary that the whole body should be introduced into the building to make the entry complete. Any, the least entry, either with the whole or any part of the body, finger, hand, or foot, or with any instrument or weapon introduced for the purpose of committing any of the crimes enumerated in the statute, or other felony will be sufficient.

It must be proved that the defendant broke and entered the building described in the complaint or indictment. Ownership of the building must be proved as laid. Both the breaking and entry must be shown to have been done willfully and maliciously and with the felonious intent charged.

Tools. After proving that a burglary has been committed, then evidence may be received connecting the prisoner with the burglary and with the tools, or that goods stolen from the building at the time the burglary was committed were found in his possession.

ROBBERY.

Robbery is the felonious and violent taking of money, goods or other valuable thing, from the person of another by force or intimidation. Every person guilty of robbery shall be imprisoned in the penitentiary not less than three years nor more than twenty years; or if he is armed with a dangerous weapon, or being so armed, he wounds or strikes

him, or if he has any confederate present so armed to aid or abet him, he shall be imprisoned in the penitentiary for any number of years not less than ten years or for life.

Evidence. There must be proof of taking the "money, goods, or other valuable thing" of the alleged owner.

The ownership must be proved.

It is necessary to show that the robber actually took the goods into his possession from the peaceable possession of the person robbed.

The taking must be shown to be felonious and violent, by either force or intimidation.

The goods must be proved to have been taken "from the person" of the party robbed.

SODOMY.

The infamous crime against nature, either with man or beast, shall subject the offender to be punished by imprisonment in the penitentiary for a term of not less than one year nor more than ten years.

Emission. It shall not be necessary to prove emission, to convict any one of the crime against nature.

Evidence. The only evidence required is the proof of penetration as in rape. To constitute the offense the act must be in that part where sodomy is committed; therefore, the act in a child's mouth does not constitute the offense.

INCEST.

Father with Daughter. If a father shall rudely and licentiously cohabit with his own daughter, the father shall be imprisoned in the penitentiary for a

term of not less than one year and not exceeding twenty years.

Of Relatives. Persons within the degrees of consanguinity within which marriages are declared by law to be incestuous and void, who shall intermarry with each other, or who shall commit adultery or fornication with each other or who shall lewdly and lasciviously cohabit with each other, shall be imprisoned in the penitentiary for a term not less than one nor more than ten years.

Evidence. Where the prisoner had been guilty of illicit intercourse with a young woman whom he had always recognized as his daughter, and with whose mother he lived in reputed wedlock, the charge of incest was held to be established. The admissions of the father that the person with whom he had sexual intercourse was his daughter by a former wife is competent evidence.

LARCENY.

Larceny is the felonious stealing, taking and carrying, leading, riding, or driving away the personal goods of another. Larceny shall embrace every theft which deprives another of his money or other personal property, or those means or muniments by which the right and title to property, real and personal, may be ascertained. Private stealing from the person of another, and from a house in the day time, shall be deemed larceny. Larceny may also be committed by feloniously taking and carrying away any bond, bill, note, receipt or any instrument of writing of value to the owner.

Stealing Dog. Whoever, without the consent of the owner with a felonious intent, takes, carries or leads away any dog or bitch, shall be deemed guilty of larceny and punished accordingly.

Every person convicted of larceny, if the property stolen exceeds the amount of fifteen dollars, or if the property stolen is from the person of another, shall be imprisoned in the penitentiary not less than one, nor more than ten years; if the property stolen has not been stolen from the person of another, and is of the value of fifteen dollars, or less, the person convicted shall be confined in the county jail, or sentenced to labor in the workhouse of the county, city or town where the conviction is had, or on the streets or alleys of the city, or on the public roads in the county, or to such labor under the direction of the sheriff as the county board may provide for, not exceeding one year and fined not exceeding $100.

Second Offense. In case of a second conviction of petty larceny by any person over the age of eighteen years, the punishment shall be by imprisonment in the penitentiary, for a term or not less than one year and not exceeding three years; and on the trial under an indictment for petty larceny, a duly certified copy of the record of a former conviction and judgment of any court of record in this state, for a like offense against the party indicted, shall be *prima facie* evidence of such former conviction, and may be used against such party in evidence: PROVIDED, that such former conviction and judgment shall be set forth in apt words in the indictment.

By Bailee. If any bailee of any bank bill, note, money or other property, shall convert the same to his own use, with the intent to steal the same, or secrets the same with intent so to do, he shall be deemed guilty of larceny.

By Bailee. That whoever, being a bailee of any chattel, money or other valuable security, shall fraudulently take or convert the same to his own use or to the use of any other person other than the owner thereof although he shall not break bulk or otherwise determine the bailment, shall be guilty of larceny, and may be convicted thereof upon an indictment for larceny.

Of Beasts and Birds "Ferae Nature." Whoever, without the consent of the owner, and with a felonious intent takes any beast or bird ordinarily kept in a state of confinement, and not the subject of larceny at common law, shall be deemed guilty of larceny.

Horse Stealing. Whoever feloniously takes or steals any horse, mule or ass, shall be imprisoned in the penitentiary not less than three nor more than twenty years. The words "horse," "mule," "ass," shall include animals of both sexes and all ages.

Lead Pipe. Every person who shall feloniously steal, take and carry away any lead pipe, faucet, or faucet and stop cock, from any building or dwelling house, whether the same be attached to such house or building or not, or whether the same be laid in the ground separate from such house or building, shall be deemed guilty of larceny, and punished accordingly.

Newspapers. Whoever shall unlawfully and feloniously steal, take and carry away any newspaper or periodical from the place where the same may be left for any other person, shall be deemed guilty of larceny and punished accordingly.

Of Things Attached to the Realty. Whoever by trespass with intent to steal, takes and carries away anything which is parcel of the realty or annexed

thereto, the property of another of some value, against his will, shall be guilty of such larceny, as he would be guilty of if such property were personal property.

Larceny and Falsifying Public Records. If any judge, justice of the peace, sheriff, coroner, clerk, recorder, or other public officer, or any person whatsoever, shall steal, embezzle, alter, corrupt, withdraw, falsify or avoid any record, process, charter, gift, grant, conveyance, bond or contract, or shall knowingly and willfully take off, discharge or conceal any issue, forfeited recognizance, or other forfeiture, or shall forge, deface or falsify any document or instrument recorded, or any registry, acknowledgment or certificate, or shall alter, deface or falsify any minute, document, book, or any proceeding whatsoever, of or belonging to any public office within this state, the person so offending shall be imprisoned in the penitentiary not less than one nor more than seven years.

Evidence. There must be proof of taking, carrying, leading or riding away from the actual or constructive possession of the owner.

The taking must be shown to have been with a felonious intent.

The taking must be shown to be against the will of the owner.

Proof of ownership must be established.

The place must be so far proved as to show that the larceny was committed in the county in which the examination is held or the indictment found.

Evidence must be shown that the goods are of some value, however small, or no wrong is committed in taking them. The possession of stolen property soon after it was stolen is of itself *prima*

facie evidence that it was stolen by the party in whose possession it was found.

The identity of the prisoner, with the one charged with and the one who committed the crime, should be shown.

The stolen property may be produced in court and be shown to the jury but there is no legal necessity for it to be shown.

It is not necessary that the taking should be by the hand of the accused, for if he procured an innocent agent, as a child or a lunatic, to take the property, or if he procured a sheriff or other person to take it on a writ of replevin or other process, without color or title, with a felonious design, he will himself be the principal offender.

An Assault to Commit Larceny is a felony, and as such is punishable by confinement in the penitentiary, regardless of the fact whether the value of the goods or property attempted to be stolen is less or more than $15.

FORGERY.

Of Records, Writing, Etc. Every person who shall falsely make, alter, forge or counterfeit any record or other authentic matter of a public nature, or any charter, letters patent, deed, lease, indenture, writing obligatory, will, testament, codicil, annuity, bond, covenant, post note, due bill for the payment of money or property, receipt for money or property, power of attorney, any Auditor's warrant for the payment of money at the treasury, county order, or any accountable receipt, or any order or warrant, or request for the payment of money or the delivery of goods or chattels of any kind, or for the delivery of any instrument of writ-

ing or acquittance, release or receipt for money or goods, or any acquittance, release or discharge for any debt, account, action, suit, demand or other thing, real or personal, or any transfer or assurance of money, stock, goods, chattels or other power to receive money, or to receive or transfer stock or annuities, or to let, lease, dispose of, alien or convey any goods or chattels, lands, or tenements, or other estate, real or personal, or any acceptance or indorsement of any bill of exchange, promissory note, draft, or order, or assignment of any bond, writing obligatory, or promissary note for money or other property, or any ticket or pass for the passage of any person upon any railroad or other conveyance, or for the admission of any person to any entertainment for which a consideration is required, or any other written instrument of another, or purporting to be such, by which any pecuniary demand or obligation, or any right in any property is, or purports to be created, increased, conveyed, transferred, diminished or destroyed, or shall counterfeit or forge the seal or hand-writing of another, with intent to damage or defraud any person, body politic or corporate, whether the said person, body politic or corporate, reside in or belong to this state or not; or shall utter, publish, pass or attempt to pass as true and genuine, or cause to be uttered, published, passed or attempted to be passed as true and genuine, any of the above named false, altered, forged or counterfeit matters, as above specified and described, knowing the same to be false, altered, forged or counterfeited, with intent to prejudice, damage or defraud any person, body politic or corporate, whether the said person, body corporate or politic, reside in this state or not; every person so offending shall be deemed guilty of for-

gery, and shall be imprisoned in the penitentiary not less than one year and not more than fourteen years.

Of Public Securities, Bank Bills, Etc. Whoever, with intent to defraud, falsely makes, alters, forges or counterfeits any public security, issued in any form, or purporting to be by authority of the United States, or of any State or Territory thereof, or any indorsement or writing purporting to be a transfer thereof, or any bank bill or promissory note, issued or purporting to be by any bank or banking company in this State, or within the United States, or any of the Territories thereof, or any foreign province, State or government; and whoever has in his possession, or receives from another, with intent to pass, or utters or passes, or tenders in payment, as true, any such false, altered, forged or counterfeited bill or note, with intent to injure or defraud any person, shall be imprisoned in the penitentiary not less than one nor more than twenty years.

Fictitious Bills, Notes, Etc. Whoever shall make, pass, utter, or publish, with an intention to defraud any other person, or with like intention shall attempt to pass, utter or publish, or shall have in his possession with like intent to pass, utter or publish, any fictitious bill, note or check purporting to be the bill, note or check, or other instrument of writing for the payment of money or property of some bank, corporation, co-partnership or individual, when in fact there shall be no such bank, corporation, co-partnership or individual in existence, the said person, knowing the said bill, note, check or instrument of writing for the payment of money or property to be fictitious, shall be imprisoned in the penitentiary not less than one nor more than twenty years.

Connecting Parts of Several Bills. Whoever fraudulently connects together different parts of several bank notes or other genuine instruments, in such a manner as to produce one additional note or instrument, with intent to pass all of them as genuine, shall be deemed guilty of forgery in like manner as if each of them had been falsely made or forged, and punished accordingly.

Evidence. Proof by experts. Persons of skill shall be competent to testify as to the genuineness of any bill, note or other instrument alleged to be forged or counterfeited. The instrument must be produced or its absence accounted for. Before evidence can be given that the instrument is forged or counterfeit, it must be produced if in existence and accessible. But its absence may be accounted for by showing that it is lost or has been destroyed by the prisoner or otherwise destroyed without the fault of the prosecutor.

The intent to defraud some person or corporation must be proved though it is not necessary to show that any person was actually defrauded.

Evidence required of passing, etc., a forged, etc., instrument. It must be proved that it was passed, uttered or published, that it was forged or fictitious; that the prisoner knew at the time he passed, uttered or published the instrument that it was forged or fictitious; that it was the intent to damage or defraud some person or corporation. The act of passing is not complete until the instrument is received by the person to whom the instrument is offered.

Evidence of place. Proof that the instrument was forged by the accused, and that he attempted to pass it in the county, where indicted, is *prima facie* proof that the forgery was committed there.

COUNTERFEITING.

Coin. Every person who shall counterfeit any of the species of gold or silver coin current by law or usage in this state, or any foreign state or country, or shall pass or give in payment such counterfeit coin, or permit, cause or procure the same to be altered or passed with intention to defraud any person, body politic or corporate, knowing the same to be counterfeited, shall be deemed guilty of counterfeiting, and imprisoned in the penitentiary for a term not less than one year and not more than fourteen years.

Evidence. The forged coin must be produced before any evidence of its want of genuineness can be received, or its absence accounted for as in the case of a forged written instrument.

The counterfeiting is usually proved by circumstantial evidence, such as finding the necessary tools or counterfeit pieces of money, either in a finished or unfinished state.

Jurisdiction. The state courts have concurrent jurisdiction with the courts of the United States over such offense, and of the offense of forging a draft purporting to be drawn by a national bank by a clerk of said bank.

Possession of Counterfeit Coin. Every person who shall have in his possession or receive for any other person, any counterfeit gold or silver coin or coins of the species current by law or usage in this state, with intention to utter or pass the same, or to permit, cause or procure the same to be uttered or passed, with intention to defraud any person or body politic or corporate, knowing the same to be counterfeit, shall be imprisoned in the penitentiary not less than one nor more than fourteen years.

Evidence. The prosecutor must prove 1st, the possession of the coin or counterfeit instrument; 2nd, the knowledge of its being counterfeit; 3rd, the intention to pass it with a view to defraud. Where pieces of counterfeit coin are found on one or two persons acting in guilty concert and both knowing of the possession, both are guilty under the statute,

Counterfeiting Tools. Every person who shall make, mend, or knowingly have in his possession, any die or dies, plate or plates, or any apparatus, paper, metal, machine or other thing whatever, made use of in counterfeiting the coin current by law or usage in this state, or in counterfeiting public securities, bank notes or bills, whether such bank be situated in this state or not, shall be imprisoned in the penitentiary not less than one year nor more than fourteen years; and all such dies, plates, apparatus, paper, metal or machine intended for the purposes aforesaid, shall be destroyed or sold, if in the opinion of the court the same may properly be sold, and the proceeds, after payment of costs, shall be paid into the county treasury for the use of the county.

Evidence. In order to convict the defendant, it must be proved that he knowingly had in his possession some instrument named in the indictment.

Counterfeiting Seals. Every person who shall fraudulently forge, deface, corrupt or counterfeit the seal of this state, or the seal of any court or public officer by law entitled to have and use a seal, or the seal of any public, municipal or private corporation, or shall make use of the same, or shall forge or counterfeit the signature of any public officer, or shall unlawfully and corruptly, or with evil intent, affix any of the said true seals to any

commission, deed, warrant, pardon, certificate or other writing, or who shall have in his possession or custody any such counterfeit seal, and shall willfully conceal the same, knowing it to be falsely made and counterfeited, shall be imprisoned in the penitentiary not less than one nor more than twenty years.

Counterfeiting Trade Marks. Whoever knowingly and willfully counterfeits or causes to be counterfeited any private stamp, label or trade mark, used by a merchant or manufacturer about the sale of his goods, with intent to defraud the purchaser or manufacturer, or sells goods with such counterfeit stamps, labels or trade marks thereon, knowing them to be counterfeit, shall for each offense be fined not exceeding $200.

Stimulating Trade Marks. When a person uses any peculiar name, letters, mark, device or figures, cut, stamped, cast or engraved upon, or in any way attached to or connected with any article manufactured or sold by him, to designate it as an article of a peculiar kind, character or quality, or as manufactured by him, whoever shall, without his consent, use the same or any similar names, letters, marks, devices, or figures for the purpose of falsely representing any articles to have been manufactured by him, or to be of the same kind, character or quality as that manufactured or so sold by the party rightfully using the same, shall for each offense, be fined not exceeding $200.

BIGAMY.

Whoever, having a former husband or wife living, marries another person, or continues to cohabit with such second husband or wife in this state, shall

be deemed guilty of bigamy, and be imprisoned in the penitentiary not less than one nor more than five years, and fined not exceeding $1000. PROVIDED, nothing herein contained shall extend to any person whose wife or husband shall have been continually absent for the space of five years together, prior to said second marriage, and he or she not knowing such husband or wife to be living within that time. Also, nothing herein contained shall extend to any person that is, or shall be at the time of such second marriage, divorced by lawful authority from the bands of such former marriage, or to any person where the former marriage hath been, by lawful authority, declared void.

Marrying a Bigamist. If any man or woman being unmarried shall knowingly marry the husband or wife of another, or continue to cohabit with such husband or wife in this state, such man or woman shall be fined not more than $500, or confined in the county jail not exceeding one year, or both in the discretion of the court.

Evidence. The prosecutor must prove the first and second marriages, and that at the time of the second marriage the former husband or wife was alive.

Proof and Venue. It shall not be necessary to prove either of the marriages by register or certificate thereof, or other record evidence; but the same may be proved by such evidence as is admissible to prove a marriage in other cases. The offense may be alleged to have been committed, and the trial may take place in the county where cohabitation shall have occurred.

BRIBERY AND EXTORTION.

Bribery. Whoever corruptly, directly or indirectly, gives any money or other bribe, present, reward, promise, contract, obligation or security for the payment of any money, present, reward or other thing, to any judge, justice, attorney-general, state's attorney, county attorney, member of the General Assembly, or other officer ministerial or judicial, or to any legislative, executive or other officer of any incorporated city, town or village, or any officer elected or appointed by virtue of any law of this state, after his election or appointment, either before or after he is qualified, with intent to influence his act, vote, opinion, decision or judgment on any matter, question, cause or proceeding which may be then pending, or may by law come or be brought before him, in his official capacity, or to cause him to execute any of the powers in him vested, or to perform any duty of him required, with partiality or favor, or otherwise than is required by law, or in consideration that such officers being authorized in the line of his duty to contract for any advertising, or for the furnishing of any labor or material, shall directly or indirectly arrange to receive, or shall receive, or shall withhold from the parties so contracted with, any portion of the contract price, whether that price be fixed by law or agreement, or in consideration that such officer hath nominated or appointed any person to any office, or exercise any power in him vested, or performed any duty of him required, with partiality or favor, or otherwise contrary to law, the person so giving, and the officer so receiving any money, bribe, present, reward, promise, contract, obligation or security, with intent or for the purpose or consideration

aforesaid, shall be deemed guilty of bribery, and shall be punished by confinement in the penitentiary for a term not less than one nor more than five years.

Offering to Give or Receive. Every person who shall offer or attempt to bribe any member of the General Assembly, judge, justice of the peace, sheriff, coroner, clerk, constable, jailer, attorney-general or other officer, ministerial or judicial, or any legislative, executive or other officer of any incorporated city, town, or village, or any officer elected or appointed by virtue of any law of this state, in any of the cases mentioned in the preceding section, and every such officer who shall propose or agree to receive a bribe in any of such cases, shall be fined not exceeding $5000.

Of Judicial Officers. Whoever corrupts, or attempts, directly or indirectly, to corrupt any master in chancery, auditor, juror, arbitrator, umpire or referee, by giving, offering or promising any gift or gratuity whatever, with intent to bias the opinion, or influence the decision of such master in chancery, auditor, juror, arbitrator, umpire or referee, in relation to any matter pending in the court, or before an inquest, or for the decision of which such arbitrator, umpire or referee has been chosen or appointed, and every such official who receives, or offers, or agrees to receive a bribe in any of the cases above mentioned, shall be imprisoned in the penitentiary for a term of not less than one year and not more than five years, or fined not exceeding $1000 and confined in the county jail not exceeding one year.

Of Sheriff, Constable. If a sheriff, constable, or other officer authorized to serve legal process, re-

ceives from a defendant, or from any other person, any money or other valuable thing as a consideration, reward or inducement for omitting or delaying to arrest a defendant, or to carry him before a magistrate, or for delaying to take a person to prison, or for the postponing the sale of property under an execution, or for omitting or delaying to perform any duty pertaining to his office, he shall be fined not exceeding $300, or confined in the county jail not exceeding 3 months.

Of Municipal Officers. Every person who shall promise, offer or give, or cause, or aid, or abet in causing to be promised, offered or given, or furnish or agree to furnish, in whole or in part, to be promised, offered or given to any member of the city council or board of trustees, or any officers of the corporation, after or before his election or appointment as such officer, any moneys, goods, right in action, or other property or thing of value, or any pecuniary advantage, present or prospective, with intent to influence his vote, opinion, judgment or action on any question, matter, cause or proceeding which might then be pending, or may by law be brought before him in his official capacity, shall upon conviction, be imprisoned in the penitentiary for a term not exceeding two years, or shall be fined not exceeding $5000, or both, in the discretion of the court. Every officer who shall accept any such gift or promise, or undertaking to make the same under any agreement or understanding that his vote, opinion or judgment, or action shall be influenced thereby, or shall be given in any question, matter, cause or proceeding then pending, or which may by law be brought before him in his official capacity, shall, upon conviction, be disqualified from holding any public office, trust or appointment un-

der the city or village, and shall forfeit his office, and shall be punished by imprisonment in the penitentiary not exceeding two years, or by a fine not exceeding $5000, or both in the discretion of the court.

Every person offending against either of the provisions of this section, shall be a competent witness against any other person offending in the same transaction, and may be compelled to appear and give testimony before any grand jury or in any court in the same manner as other persons; but the testimony so given shall not be used in any prosecution or proceeding civil or criminal, against the person so testifying.

Evidence. The offense of bribery requires not only a corrupt motive on the party offering the bribe but also a corrupt motive on the part of the party accepting the same, and if the officer sought to be bribed merely accepted the money with the intention of bringing the other party to justice the offense is only an attempt to bribe. The misdemeanor is complete by the offer of the bribe; if the offer is accepted both are guilty.

EXTORTION.

By Threats. Whoever, either verbally, or by written or printed communication, maliciously threatens to accuse another of a crime or misdemeanor, or to expose or publish any of his infirmities or failings, with intent to extort money, goods, chattels or other valuable thing, or threatens to maim, wound, kill or murder, or to burn or destroy his house or other property, or to accuse another of a crime or misdemeanor, or to expose or publish any of his infirmities or failings, though no

money, goods, chattels or valuable thing be demanded, shall be fined in a sum not exceeding $500, and imprisoned not exceeding six months.

Threats to Kidnap or Kill. Whoever either verbally or by written or printed communication, maliciously and willfully threatens to kidnap, wound, maim, kill or murder another person, or any one related by blood, marriage or adoption to such other person; or to burn, injure or destroy any building or other property belonging to another person, with intent thereby to extort any money, goods, chattels, or other valuable thing, shall be imprisoned in the penitentiary not less than one nor more than twenty years.

Evidence. Proof of making the threats is indispensable. If the communication containing the threat is written or printed it must be produced or its absence accounted for, and be proved to have been received by the person threatened, or to have been published in some way.

The threat must be to accuse another of a crime or misdemeanor or there must be a threat to kill, wound, maim or kidnap, or to destroy, burn or otherwise injure the building or property.

There must be proof of an attempt to extort money, goods, chattels or other valuable thing.

ABANDONMENT.

Children Under One Year. When any child under the age of one year shall be abandoned by its parents, guardian or any other person having legal custody or control thereof, such person shall be deemed guilty of a felony, and, upon conviction thereof shall be punished by a fine of not less than $300, or more than $1000, or by imprisonment in

the penitentiary for a term not less than one year and not exceeding three years, or by both fine and imprisonment, in the discretion of the court.

Neglect or Refusal to Provide for Support of Wife and Children in Destitute or Necessitous Circumstances. Every person who shall, without reasonable cause, neglect or refuse to provide for the support or maintenance of his wife, said wife being in destitute or necessitous circumstances, or any person who shall, without lawful excuse, desert or neglect or refuse to provide for the support or maintenance of his or her child or children under the age of eighteen years, in destitute or necessitous circumstances, shall be deemed guilty of a misdemeanor and on conviction therefor shall be punished by a fine not to exceed six hundred dollars or by imprisonment in the county jail, house of correction or workhouse, not to exceed one year, or by both such fine and imprisonment.

Proceedings under this act may be by indictment or information.

Order for Support of Wife or Child "pendente lite." At any time before the trial, upon motion of the complainant and upon notice to the defendant, the court at any time or a judge thereof in vacation, may enter, such temporary order as may seem just, providing for the support or maintenance of the wife or child or children of the defendant, or both, "*pendente lite*," and may for violation of such order punish the offender as for a contempt of court.

Whenever a fine shall be imposed, it may be directed by the court to be paid, in whole or in part, to the wife or to the guardian or custodian of the minor child or children: PROVIDED, that before the

trial with the consent of the defendant, or after conviction, instead of imposing the penalty provided in this act, or in addition thereto the court in its discretion, having regard to the circumstances, and to the financial ability or earning capacity of the defendant, shall have the power to make an order, which shall be subject to change by the court from time to time as circumstances may require, directing the defendant to pay a certain sum periodically for a term not exceeding one year, to the wife or to the guardian or custodian of the said minor child or children, or to an organization or individual approved by the court as trustee; and shall also have power to release the defendant from custody on probation for the period fixed in the order of judgment upon his or her entering into a recognizance, with or without surety, in such sum as the court or judge thereof in vacation, may order and approve. The condition of the recognizance shall be such that if the defendant shall make his or her personal appearance in court whenever ordered to do so by said court, at such period as may be fixed within one year, and shall further comply with the terms of such order of support, or of any subsequent modification thereof, then such recognizance shall be void; otherwise in full force and effect.

Proof of Marriage and Parentage. No other or greater evidence shall be required to prove the marriage of such husband and wife, or that the defendant is the father or mother of such child or children, than is or shall be necessary to prove such fact in a civil action.

In no prosecution under this act shall any existing statute or rule of law prohibiting the disclosure of confidential communications between husband and wife apply. And both husband and wife shall

be competent witnesses to testify to any and all relevant matters, including the fact of such marriage and of the parentage of such child or children: PROVIDED, that neither shall be compelled to give evidence incriminating himself or herself.

Actions, under this act, against persons, who shall without any reasonable cause, neglect or refuse to provide for the support or maintenance of his wife, may be prosecuted at any time during the existence of the marriage relations.

ABDUCTION.

Of Female. Whoever entices or takes away any unmarried female of a chaste life and conversation from the parents' house, or wherever she may be found, for the purpose of prostitution or concubinage, and whoever aids and assists in such abduction for such purpose, shall be imprisoned in the penitentiary not less than one nor more than ten years.

Of Child. Whoever unlawfully takes or decoys away any child under the age of twelve years, with intent to detain or conceal such child from its parents, guardian or other person having the lawful charge of such child, shall be confined in the county jail not exceeding one year, or fined not exceeding $2000, or both in the discretion of the court: PROVIDED, This section shall not apply to any one who, in good faith, interferes to protect the child from abuse or cruel treatment.

Evidence. The words "of a chaste life and conversation" in the statute mean actual and personal virtue in the female, and to sustain an indictment it is necessary that she should have been chaste and pure in conduct and principle up to the time of the

commission of the offense or the commencement of acts on the part of the accused which resulted in the abduction of the female.

If the female leaves her home voluntarily, without being enticed, aided or assisted by the defendant, and cohabits with him, he is not guilty of her abduction, though it would be otherwise if he had purposely enticed her to leave for the purpose of concubinage or prostitution.

The previously chaste life of the female is presumed, and the onus is upon the defendant to show to the contrary.

ABORTION.

Producing. Whoever, by means of any instrument, medicine, drug, or other means whatever, causes any woman, pregnant with child, to abort or miscarry, or attempts to procure an abortion or miscarriage, unless the same were done as necessary for the preservation of the mother's life, shall be imprisoned in the penitentiary not less than one nor more than ten years; or if the death of the mother results therefrom, the person procuring or causing the abortion or miscarriage shall be guilty of murder.

Ecbolic, or Abortifacient Drugs. If any druggist, dealer in medicine, or other person, sells to any person any drug or medicine, known or presumed to be ecbolic or abortifacient, except upon the written prescription of some well known and practicing physician, or keeps on hand, or advertises or exposes for sale, or sells any pills, powders, drugs or combination of drugs designed especially for the use of females, without keeping the certificate as required in the next succeeding section, he

shall for each offense be fined not less than $50 nor more than $500, or be confined in the county jail not less than thirty days nor more than six months, or both. PROVIDED, this section shall not be construed to apply to compounds known as "Officinal."

Certificate Required. Before any pills, powders, drugs or combination of drugs designed expressly for the use of females, shall be kept or exposed for sale or sold, the proprietor thereof shall submit under oath a true statement of the formula by which the same is compounded, to five well known and respectable practicing physicians in the county where the same is proposed to be sold, and shall procure their certificate, signed and verified by the affidavit of each of them, that such combination is not abortifacient; and every person keeping on hand, or in any manner advertising or exposing for sale or selling such combination, shall keep such certificate, or a sworn copy thereof, with the formula attached, for the inspection of any person desiring to see the same.

Advertising Abortifacient Drugs. Whoever advertises, prints, publishes, distributes or circulates, or causes to be advertised, printed, published, distributed or circulated any pamphlet, printed paper, book, newspaper, notice, advertisement or reference, containing words or language giving or conveying any notice, hint or reference to any person, or to the name of any person, real or fictitious, from whom, or to any place, house, shop or office where any poison, drug, mixture or means whatever or any advice, information, direction or knowledge may be obtained for the purpose of causing or procuring the miscarriage of any woman pregnant with child, shall be punished by imprisonment in the

penitentiary for a period of not less than one year nor more than three years, or fine not exceeding $1000.

Evidence Required. It must be proved that the defendant applied an instrument or administered medicine, drug or other noxious thing to the woman. It is not necessary that the delivery should be by the hand of the defendant. It is sufficient if the defendant mixes the substance and tells the woman that it is for her, or delivers it to her with intent to cause an abortion or miscarriage, and the pregnant woman takes it in his presence or absence and it causes her to abort or miscarry.

It must be proved that the instrument, medicine, drug or other noxious substance named in the indictment would cause a woman pregnant with child to abort or miscarry. This may be proved by the defendant's admissions or otherwise.

ADULTERY.

If any man and woman shall live together in an open state of adultery, or fornication, or adultery and fornication, every such person shall be fined not exceeding $500, or confined in the county jail not exceeding one year. For a second offense, such man or woman shall be severally punished twice as much as the former punishment, and for a third offense, treble, and thus increasing the punishment for each succeeding offense: PROVIDED, however, that it shall be in the power of the party or parties offending, to prevent or suspend the prosecution by their intermarriage, if such marriage can be legally solemnized, and upon the payment of the costs of such prosecution.

Proof. The offense of adultery shall be sufficiently proved by circumstances which raise the presumption of cohabitation and unlawful intimacy.

Evidence. In order to constitute the crime of adultery or fornication the parties must dwell together openly and notoriously. In order to sustain the charge of adultery there must be proof of actual marriage.

COMPOUNDING A CRIME.

Whoever takes money, goods, chattels, lands or other reward, or promise thereof, to compound any criminal offense, shall be fined in double the sum or value of the thing agreed for or taken; but no person shall be debarred from taking his goods or property from the thief or felon, or receiving compensation for the private injury occasioned by the commission of any such criminal offense.

Evidence. The record of the conviction is *prima facie* evidence of the felony, but not conclusive as against the compounder; but in the case of a prosecution for compounding of a crime, and agreeing to withhold evidence, the acquittal of the principal offender is not competent evidence for the defense.

CONCEALING DEATH OF BASTARD.

If any woman shall endeavor, privately, either by herself or by the procurement of others, to conceal the death of any issue of her body, which, if born alive, would be a bastard, so that it may not come to light, whether it shall have been murdered or not, she shall suffer confinement in the county jail for a term not exceeding one year: PROVIDED, however, that nothing herein contained shall be so construed as to prevent such mother from being indicted and punished for the murder of such bastard child.

Evidence. It is necessary to prove that the accused was a single woman and pregnant with a

child, or if a married woman, that she was pregnant by an adulterous intercourse, and the non-access of the husband, for if the woman cohabited with her husband the child will be conclusively presumed to be legitimate unless the husband was impotent. 2. That the child was dead, and the issue of her body, and whether a male or female. 3. That she endeavored privately to conceal its death by a secret burial or otherwise. It is immaterial whether the child was dead or alive when born, and the woman may be convicted though the death was known to an accomplice. A person other than the mother can not be convicted of the offense of concealing the death of such child, unless upon an indictment which charges the mother of the bastard also with the offense. Such person may be convicted as an accessory of aiding, etc.

EMBEZZLEMENT.

Whoever embezzles or fraudulently converts to his own use, or secretes, with intent to embezzle or fraudulently converts to his own use, money, goods, or property delivered to him, which may be the subject of larceny, or any part thereof, shall be deemed guilty or larceny.

Indictment—Evidence. In prosecutions for the offense of embezzlement, fraudulently converting to ones own use, or fraudulently taking or secreting with intent to embezzle and convert the bullion, money, notes, bank notes, checks, drafts, bills of exchange, obligations or other securities for money, of any person, bank, incorporated company or copartnership, by a cashier or other officer, clerk, agent or servant of such person, bank, incorporated company, or copartnership, it shall be sufficient to allege generally in the indictment an embezzlement,

fraudulent conversion, or taking with such intent, of funds of such person, bank, incorporated company or copartnership to a certain amount or value, without specifying any particulars of such embezzlement, and on the trial, evidence may be given of any such embezzlement, fraudulent conversion, or taking with such intent, and it shall be sufficient to maintain the charge in the indictment, if it is proved that any bullion, money, note, bank note, check, draft, bill of exchange, or other security for money of such person, bank, incorporated company or copartnership, of whatever value or amount, was fraudulently embezzled, converted or taken with such intent, by such cashier or other officer, clerk, agent or servant.

FALSE FIRE ALARMS.

Any person who knowingly and willfully transmits or sends a false alarm of fire to the fire department of any city, village or town or causes the same to be so transmitted or sent, knowing at the time of such transmission or sending that there is no fire to which the fire department should respond or having no reasonable ground for believing that there is such fire, shall be guilty of a misdemeanor, and upon conviction thereof, shall be subject to a fine of not less than $50, nor more than $200, or imprisonment in the county jail not to exceed one year, or both such fine and imprisonment.

FALSE IMPRISONMENT.

False imprisonment is an unlawful violation of the personal liberty of another, and consists in confinement or detention without sufficient legal authority. Any person convicted of false imprisonment

shall be fined in any sum not exceeding $500, or imprisoned not exceeding one year in the county jail.

Evidence. All the prosecutor has to prove is the imprisonment; for that is presumed to be unlawful until the contrary is shown. It is for the defendant to justify it by showing that he had authority to arrest the party imprisoned without a warrant, or by virtue of civil or criminal process.

Every confinement is an imprisonment, whether it be in a common prison or in a private house, or even by forcibly detaining one in the street.

FALSE PRETENSES.

Whoever, with intent to cheat or defraud another, designedly by color of any false token or writing, or by any false pretense, obtains the signature of any person to any written instrument, or obtains from any person any money, personal property or other valuable thing, shall be fined in any sum not exceeding $2000, and imprisoned not exceeding one year, and shall be sentenced to restore the property so fraudulently obtained, if it can be restored. No indictment for the obtaining of any property or thing by any false pretense or pretenses shall be quashed, nor shall any person indicted for such offense be acquitted, for the reason that the facts set forth in the indictment, or appearing in evidence, may amount to a larceny or other felony; nor shall it be deemed essential to a conviction that the property in the goods or things so obtained shall pass with the possession to the person so obtaining it.

Evidence. The words "false pretense" in the statute include all representations of fact then existing whereby property has been obtained, and to

which representations persons of ordinary prudence and caution would be likely to give credit.

The pretense must be some past event or existing fact, made for the purpose of inducing the party to part with his property.

Proof of the false pretenses substantially as alleged is sufficient.

It must be proved that the token, writing or pretense was false to the knowledge of the accused.

It must be proved that the property was obtained by the false token, writing or pretense.

Proof that the owner charged to be was the actual owner of the property obtained is indispensable.

Proof of an intent to cheat or defraud is indispensable.

CONFIDENCE GAME.

Every person who shall obtain or attempt to obtain from any other person or persons any money, property or credit by means or by use of any false or bogus check or by any other means, instrument or device commonly called the confidence game shall be imprisoned in the penitentiary not less than one nor more than ten years.

Indictment. In every indictment under the preceding section, it shall be deemed and held a sufficient description of the offense, to charge that the accused did, on, etc., unlawfully and feloniously obtain, or. attempt to obtain (as the case may be), from A B (here insert the name of the person defrauded or attempted to be defrauded), his money (or property, in case it is not money), by means and use of the confidence game.

FALSELY PERSONATING ANOTHER.

Receiving Money or Property—Larceny. Whoever falsely personates or represents another, and in

such assumed character receives any money or property intended to be delivered to the party so personated, with intent to convert the same to his own use, shall be deemed to have committed larceny of the money or property so obtained.

PERFORMING VARIOUS ACTS. PUNISHMENT.

Every person who shall falsely represent or personate another, and in such assumed character shall

First—Marry another; or

Second—Become bail or surety for any party in any proceeding, civil or criminal, before any court or officer authorized to take such bail or surety; or

Third—Confess any judgment; or

Fourth—Acknowledge the execution of any conveyance of real estate, or of any other instrument which by law may be recorded; or

Fifth—Do any act in the course of any suit, proceeding or prosecution, whereby any person or body politic may be injured in any event, or his rights or interest may be affected, shall be imprisoned in the penitentiary not less than one nor more than ten years.

SOLICITING, PROCURING, ETC., MONEY BY FALSE PRETENSE.

Any person engaged in soliciting, procuring, attempting to solicit or procure money or other thing of value by falsely pretending and representing himself to be blind, deaf, dumb, without arms, or legs, or to be otherwise physically deficient or to be suffering from any physical defect or infirmity, shall, upon conviction, be punished by imprisonment in the county jail not less than one month nor more

than six months, or by a fine of not less than ten dollars, nor more than $200.

LIBEL.

A libel is a malicious defamation, expressed either by printing, or by signs or pictures, or the like, tending to blacken the memory of one who is dead, or to impeach the honesty, integrity, virtue or reputation or publish the natural defects of one who is alive, and thereby expose him to public hatred, contempt, ridicule, or financial injury.

Punishment. Every person, whether writer or publisher, convicted of libel, shall be fined not exceeding $500, or confined in the county jail not exceeding one year.

Justification. In all prosecutions for libel, the truth, when published with good motives, and for justifiable ends, shall be a sufficient defense.

MALICIOUS MISCHIEF.

Gas, Electric, Telegraph or Telephone Plants. Any person who shall destroy, damage or injure, or render unusable, any gas, electric, telegraph or telephone plants, or interfere with the conveyance of (or) transmission of the product thereof, may, upon conviction, be punished by a fine of not less than $100, nor more than $5000, or by imprisonment in the penitentiary for not less than one year, nor more than five years.

To Railroads—Mischief Causing Death—Murder. Whoever willfully, and maliciously, displaces or removes any switch, signal or rail of any railroad, or displaces or removes, any signal light, from any bridge that is built across any navigable stream in this state, or breaks down, rips up, injures or de-

stroys any track, bridge or other portion of any railroad, or places obstructions thereon, or places any false signal upon or along the line of any railroad track, or upon any bridge built across any navigable stream in this State or does any act to any engine, machine or car of such railroad, with intent that any person or property being or passing on or over such railroad, or over or through, or under such bridge built across any navigable stream of this State, should be injured thereby, shall be imprisoned in the penitentiary not less than one year and not more than five years. Or if in consequence of any such act done with such intent, any person being or passing on or over such railroad, or over, through or under such bridge, built across any navigable stream of this State, suffers any bodily harm, or any property is injured, the person so offending, shall be imprisoned in the penitentiary not less than three nor more than ten years, and if in consequence of any such act done with such intent, any person is killed, the person so offending, shall be deemed guilty of murder and punished accordingly.

Malicious Mischief—Combination. If any two or more persons shall conspire or combine to break down, take up, injure or destroy any railroad track, or railroad bridge, or to burn or destroy any engine, engine house, car house, machine shop, or any other building or machinery necessary to the free use of any railroad, every such person shall be punished by imprisonment in the penitentiary not less than two nor more than five years.

Attempting Injury to Railroads. Whoever shall maliciously make any attempt, although the same may not succeed, to place obstructions on any rail-

road track, to burn, blow up or destroy any railroad bridge or remove, loosen, cut, injure or destroy any railroad wires, or crossarms or insulators, to which railroad wires are attached or make any connection or contact with or cast any object upon or in contact with any railroad wires or burn, loosen, remove, destroy or injure any railroad poles or in any way prevent the free and safe passage of trains on any railroad shall be imprisoned in the penitentiary not less than one nor more than ten years.

To Houses. Whoever willfully and maliciously destroys, injures or defaces any building or fixture attached thereto without consent of the owner, or destroys, injures or secretes any goods or chattels of another, shall be imprisoned in the penitentiary not less than one nor more than ten years: PROVIDED, that where the damage done in such cases does not exceed $15, the punishment shall be by fine not exceeding $500, or by imprisonment in the county jail not exceeding one year or both, in the discretion of the court.

To Jails. Whoever willfully and maliciously breaks down, destroys or otherwise injures any public jail, or other place for the confinement of offenders, shall be confined in the county jail not exceeding one year, or fined not exceeding $5000 nor less than the value of the property destroyed, or both.

To School-Houses, Churches. Whoever willfully and maliciously or wantonly, and without cause, defaces, mars or injures any school-house, church or other building erected or used for the purposes of education, or religious instruction, or for the general diffusion of knowledge, or any of

the out-buildings, fences, walls or appurtenances of such school-house, church or other building, or any furniture, apparatus or other property belonging to or connected with such school-house, church or other building, shall be fined not exceeding $500, or confined in the county jail not exceeding one year.

To Domestic Animals. Whoever willfully and maliciously kills, wounds, maims, disfigures or poisons any domestic animal, or exposes any poisonous substance, with intent that the life of such animal should be destroyed thereby, such animal being the property of another, shall be imprisoned in the penitentiary not less than one nor more than three years, or fined not exceeding $1000, or both: PROVIDED, that this section shall not be construed to apply to persons owning sheep or other domestic animals, who may, in the exercise of reasonable care and good intentions, put out poison on his own premises where sheep are kept, to kill sheep-killing dogs.

Evidence. Prove enough of the essential allegations to constitute a *prima facie* case. The evidence may be either direct or presumptive. Malice may be inferred from acts of mischief willfully done. The ownership must be proved. Ownership in a corporation may be proved the same as when laid in an individual. The injured person may be a witness.

RECEIVING STOLEN PROPERTY.

Every person who, for his own gain, or to prevent the owner from again possessing his property, shall buy, receive or aid in concealing goods or anything the stealing of which is declared to be larceny.

or property obtained by robbery or burglary, knowing the same to have been so obtained, shall be imprisoned in the penitentiary not less than one nor more than ten years, or if the goods or other property or thing do not exceed the value of $15, he shall be fined not exceeding $1000, and confined in the county jail not exceeding one year.

Second Offense. Whoever, after having been convicted of the offense of buying, receiving or aiding in the concealment of stolen money, goods or other property, the stealing of which is declared to be larceny, or property obtained by robbery or burglary, if he be again convicted of a like offense, or whoever, at the same term of court, is convicted of three distinct acts of buying, receiving, or aiding in the concealment of stolen property, or property obtained by burglary or robbery, knowing the same to have been so obtained, shall be imprisoned in the penitentiary not less than two nor more than fifteen years.

Indictment—Evidence. In any prosecution for the offense of buying, receiving or aiding in the concealment of stolen property, or property obtained by robbery or burglary, knowing that the same was so obtained, it shall not be necessary to aver nor to prove on the trial that the person who stole, robbed or took the property, has been convicted.

Railway Property. If any person shall purchase or receive for sale from any other person any link, pin, bearing, journal, or other article of iron, brass or other metal which has been manufactured and is used exclusively for railroad purposes, and which shall have stamped thereon the name of some railroad company, or the initial letter thereof, without the consent in writing of the president, general

manager or general superintendent of such railroad company, such person shall be fined in a sum not less than $100 nor more than $500, and be imprisoned not less than ten days nor more than ninety.

Recovery of Stolen Goods. All property obtained by larceny, robbery or burglary, shall be restored to the owner, and no sale, whether in good faith on the part of the purchaser or not, shall divest the owner of his right to such property. Such owner may maintain his action not only against the felon, but against any person in whose possession he may find the same.

Evidence Required. It is necessary to prove the larceny; the receiving or concealing of the whole or a part of the goods alleged to have been received into the actual custody of the prisoner; that the defendant knew the goods to have been stolen at the time he received them; that the accused, for his own gain or to prevent the owner from recovering the same, bought, received or aided in concealing the stolen goods; the value of the goods, ownership of goods.

This guilty knowledge may be proved by the admissions or acts of the prisoner, or by proof of any facts from which it may be inferred.

SEDUCTION.

Any person who shall seduce and obtain carnal knowledge of any unmarried female under the age of eighteen years of previous chaste character, shall, upon conviction, be punished by a fine of not less than $1000 and not more than $5000 or by imprisonment in the county jail not exceeding one year, or by both such fine and imprisonment, and to

stand committed until such fine and costs are fully paid; but no conviction shall be had of said crime upon the testimony of the female unsupported by other evidence: *and provided,* that the subsequent intermarriage of the parties shall be a bar to the prosecution of said offense.

CAUSING WITNESS TO ABSCOND OR SECRETE HIMSELF.

Whoever by hiring, persuasion, or otherwise, induces any witness in any criminal cause, or any person having knowledge of any fact tending to show the guilt or innocence of any person suspected or charged with having committed a crime, to leave the State or secrete himself so that he cannot be produced as a witness at any examination or trial of the person so suspected or charged, or whoever having knowledge of any fact tending to show the guilt or innocence of any person suspected or charged with having committed a crime, takes any money or valuable consideration or gratuity, or promise therefor, upon an agreement or understanding expressed or implied, not to testify or give evidence of such fact, or to leave the State, or to secrete himself so that he cannot be produced as a witness at any examination or trial of the person so suspected or charged, shall be fined not exceeding $1000, or confined in the county jail not exceeding one year or both.

ATTEMPTING TO COMMIT AN OFFENSE.

Whoever attempts to commit an offense prohibited by law, and does any act towards it but fails, or is intercepted or prevented in its execution, where no express provision is made by law for

the punishment of such attempt, shall be punished, when the offense thus attempted is a felony, by imprisonment in the penitentiary not less than one, nor more than five years; in all other cases, by fine not exceeding $300, or by confinement in the county jail not exceeding six months.

PANDERING.

Any person who shall procure a female inmate for a house of prostitution or who, by promises, threats, violence or by any device or scheme, shall cause, induce, persuade or encourage a female person to become an inmate of a house of prostitution, or shall procure a place as inmate in a house of prostitution for a female person, or any person who shall, by promises, threats, violence, or by any device or scheme, cause, induce, persuade or encourage an inmate of a house of prostitution to remain therein as such inmate, or any person who shall by fraud or artifice, or by duress of person or goods, or by abuse of any position of confidence or authority, procure any female to become an inmate of a house of ill-fame, or to enter any place in which prostitution is encouraged or allowed within this State, or to come into this State, or to leave this State for the purpose of prostitution, or who shall procure any female person to become an inmate of a house of ill-fame within this State, or to come into this State or leave this State for the purpose of prostitution, or who shall receive or give, or agree to receive or give, any money or thing of value for procuring or attempting to procure, any female person to become an inmate of a house of prostitution within this State, or to come into this State or leave this State for the purpose of prostitution, "or any person who shall knowingly,

without lawful consideration, take, accept or receive money or other thing of value from any female person from the earnings of her prostitution, or any person who shall, directly or indirectly, take, receive or accept money or other thing of value for providing, procuring or furnishing for another any person for the purpose of illicit sexual intercourse," shall be guilty of pandering, and upon a first conviction for an offense under this Act shall be punished by imprisonment in the county jail or house of correction for a period of not less than six months nor more than one year and by a fine of not less than $300, and not to exceed $1000, and upon conviction for any subsequent offense under this Act shall be punished by imprisonment in the penitentiary for a period of not less than one nor more than ten years.

Evidence. Any such female person referred to in the foregoing section shall be a competent witness in any prosecution under this Act to testify for or against the accused as to any transaction or as to any conversation with the accused or by him with another person or persons in her presence, notwithstanding her having married the accused before or after the violation of any of the provisions of this Act, whether called as a witness during the existence of the marriage or after its dissolution.

The act or state of marriage shall not be a defense to any violation of this Act.

PROSTITUTION.

Detenion of Female Person in House of Prostitution Against Her Will. Whoever shall by any means keep, hold or detain against her will or restrain, any female person in a house of prostitution or other place where prostitution is practiced

or allowed, or whoever shall, directly or indirectly, keep, hold, detain or restrain, or attempt to keep, hold, detain or restrain, in any house of prostitution or other place where prostitution is practiced or allowed, any female person, by any means, for the purpose of compelling such female person, directly or indirectly, to pay, liquidate or cancel any debt, dues or obligations incurred or said to have been incurred by such female person, shall, upon conviction, for the first offense under this act be punished by imprisonment in the county jail or house of correction for a period of not less than six months nor more than one year and by a fine of not less than $300 and not to exceed $1000, and upon conviction for any subsequent offense under this act shall be punished by imprisonment in the penitentiary for a period of not less than one year and not more than five years.

Keeping Boat for Prostitution. That any person who shall keep a boat or other water craft for the purpose of prostitution on any of the navigable waters of this State, breakwater or other stream, over or upon which this State has jurisdiction, shall be guilty of a felony, and upon conviction thereof, shall be confined in the penitentiary for a period of not less than one nor more than three years, and shall be fined any sum not exceeding $1000.

Inducing Females to Enter House of Prostitution. Whoever within this State shall, by, or under any false pretense, entice or procure any unmarried female of a chaste life and conversation, residing or being in this State, to enter a house of prostitution or any dance house, garden or premises where prostitution, fornication or concubinage is practiced or allowed in this State, or shall entice, induce or

procure such unmarried female to leave this State and to go to any other State or Territory of the United States, or to any foreign State or Territory, for the purpose of prostitution or fornication, or to enter any house, garden or premises where prostitution or fornication is allowed or practiced, and whoever aids, assists or abets any person or persons in committing aforesaid offenses or either of them, on conviction, shall be imprisoned in the penitentiary not less than one nor more than ten years.

Unlawfully Detaining Female for Prostitution. Whoever shall unlawfully detain or confine any female, by force, false pretense or intimidation, in any room, house, building, or premises in this State, against the will of such female, for the purposes of prostitution or with intent to cause such female to become a prostitute, and be guilty of fornication or concubinage therein, or shall by force, false pretense, confinement or intimidation attempt to prevent any female so as aforesaid detained, from leaving such room, house, building, or premises, and whoever aids, assists, or abets by force, false pretense, confinement or intimidation, in keeping, confining or unlawfully detaining any female in any room, house, building or premises in this State, against the will of such female, for the purpose of prostitution, concubinage or fornication, shall on conviction, be imprisoned in the penitentiary not less than one nor more than ten years.

Females Under Eighteen. Whoever, being the keeper of a house of prostitution, or assignation house, building or premises in this State where prostitution, fornication or concubinage is allowed or practiced, shall suffer or permit any unmarried female under the age of eighteen years to live,

board, stop or room in such house, building or premises, shall, on conviction, be imprisoned in the penitentiary not less than one year nor more than five years. *Prostitution Is Not Necessary to Convict. Residence Only.*

Bringing Into State for Prostitution. Whoever shall entice, induce or procure to come into this State, any unmarried female under the age of eighteen years, for the purpose of prostitution, fornication or concubinage, or to enter any house of prostitution in this State, shall, upon conviction, be imprisoned in the penitentiary not less than one nor more than five years.

Disorderly House—Ill-Fame—Penalty. Whoever keeps or maintains a house of ill-fame or place for the practice of prostitution or lewdness, or whoever patronizes the same, or lets any house, room or other premises for any such purpose, or shall keep a common, ill-governed and disorderly house, to the encouragement of idleness, gaming, drinking, fornication or other misbehavior, shall be fined not exceeding $200.

And whoever shall lease to another any house, room or other premises, in whole or in part, for any of the uses or purposes finable under this section, or knowingly permits the same to be so used or occupied, shall be fined not exceeding $200, and the premises so leased, occupied or used shall be held liable for and may be sold for any judgment obtained under this section, but if such building or premises belong to a minor or other person under guardianship, then the guardian or conservator and his property shall be liable instead of such ward, and his property shall be subject to be sold for the payment of such judgment.

Inmates of House of Ill-Fame or Assignation—Soliciting on Streets. Any male or female person who is an inmate of a house of ill-fame or assignation, or place for the practice of fornication or prostitution or lewdness, or who shall solicit to prostitution in any street, alley, park or other place in any city, village, or incorporated town in this State, shall be fined not exceeding two hundred ($200) dollars, or imprisoned in the county jail or house of correction for a period of not more than one year, or both.

Amended and became law July 13, 1921.

MAYHEM.

Whoever, with malicious intent to maim or disfigure, cuts or maims the tongue, cuts out or destroys an eye, cuts or tears off an ear, cuts, slits or mutilates the nose or lip, cuts off or disables a limb or other member of another person, shall be imprisoned in the penitentiary not less than one nor more than twenty years or fined not exceeding $1000, and confined in the county jail not exceeding one year.

Evidence. The maiming must be proved.

There must be a malicious intent to maim or disfigure. This intent is usually presumed from the act of maiming. It is not necessary where the injury is done in sudden conflict that the defendant should have formed the malicious intent to maim or disfigure previous to the conflict; it is sufficient that he formed such intent during the conflict.

ASSAULT, AND ASSAULT AND BATTERY.

Assault. An assault is an unlawful attempt, coupled with a present ability, to commit a violent injury on the person of another.

Assault and Battery. Assault and battery is the unlawful beating of another.

Punishment. Whoever shall be guilty of an assault, or an assault and battery, shall be fined not less than $3 nor more than $100.

Assault With Intent to commit murder, rape, mayhem, robbery, larceny, or other felony, shall subject the offender to imprisonment in the penitentiary for a term not less than one year nor more than fourteen years.

Assault With Intent to Murder. Whoever attempts to commit murder by poisoning, drowning, strangling or suffocating another, or by any means, shall be guilty of the crime of assault with intent to murder, and punished accordingly.

Assault With Deadly Weapon. An assault with a deadly weapon, instrument or other thing, with an intent, to inflict upon the person of another a bodily injury, where no considerable provocation appears, or where the circumstances of the assault show an abandoned and malignant heart, shall subject the offender to a fine not exceeding $1000 nor less than $25, or imprisonment in the county jail for a period not exceeding one year or both, in the discretion of the court.

An intent to do harm is essential.

Who May Commit. Infants, if old enough to commit a crime and a corporation, may be guilty of an assault and battery, although a corporation can only be made liable in a civil action.

AFFRAY, RIOT, ROUT, AND UNLAWFUL ASSEMBLY.

Affray. If two or more persons shall, by agreement, fight in a public place, to the terror of the citizens of this state, the persons so offending shall be deemed guilty of an affray, and be severally fined not exceeding $100.

Evidence. The prosecution must prove, in order to convict the defendants of an affray: 1st. An agreement to fight; 2nd. That there was an affray or fighting; 3rd. That it was in a public place; 4th. That it was to the terror of the citizens of this state; 5th. That two or more persons were engaged.

Riot. If two or more persons actually do an unlawful act, with force or violence, against the person or property of another, with or without a common cause of quarrel, or even do a lawful act in a violent and tumultuous manner, the persons so offending shall be deemed guilty of a riot, and shall be severally fined not exceeding $200, or confined in the county jail not exceeding six months.

Rout. If two or more persons shall meet to do an unlawful act, upon a common cause of quarrel, and make advances toward it, they shall be deemed guilty of a rout and shall be severally fined not exceeding $100, or confined in the county jail not exceeding six months.

Unlawful Assembly. If two or more persons shall assemble together to do an unlawful act, and separate without doing or advancing towards it, such persons shall be deemed guilty of an unlawful assembly, and be severally fined not exceeding $100.

Evidence. At common law it was necessary to prove that at least three persons were engaged in

the unlawful act but in this State it is sufficient to constitute a riot if "two or more persons engage."

It must be shown in riot that the assembling was accompanied with some such circumstance, either of actual force or violence, or at least having an apparent tendency thereto, as were calculated to inspire people with terror, such as being armed, making threatening speeches, turbulent gestures, and the like.

A Rout is an attempt at *Riot* made by an *Unlawful Assembly*. Such preparatory steps must have been taken as would lead, if carried out, to a riot. Two persons or more are essential to carry out the offense.

MOBS.

Definition of the Word "Mob." That any collection of individuals, five or more in number, assembled for the unlawful purpose of offering violence to the person or property of any one supposed to have been guilty of a violation of the law, or for the purpose of exercising correctional powers over any person or persons by violence, and without lawful authority, shall be regarded and designated as a "mob."

"Serious Injury." The term "serious injury," for the purposes of this act, shall include any injury to property, which shall cause damage to the owner thereof, or any injury to the person which shall temporarily or permanently disable the person injured from earning a livelihood.

Intent to Injure—Penalty. Any person or persons who shall comprise a mob, with the intent to inflict damage or injury, to the person or property of any individual charged with a crime, or under

the pretense of exercising correctional powers over such person or persons by violence, and without authority of law, shall be subject to a fine of not less than $100, nor more than $1000, and may be imprisoned in the county jail not less than thirty days and not to exceed twelve months for each and every offense.

Damage—Injury—Penalty. Any person or persons composing a mob under the provisions of this act, who shall by violence inflict material damage to the property or serious injury to the person of any other person upon the pretense of exercising correctional powers over such person or persons, by violence and without authority of law, shall be deemed guilty of a felony and shall suffer imprisonment in the penitentiary not exceeding five years; and any person so suffering material damage to property or injury to person by a mob shall have an action against the county or city in which such injury is inflicted, for such damages as he may sustain, to an amount not exceeding $5000.

Liability of City and County. That whenever any building or other real or personal property, except property in transit, shall be destroyed or injured in consequence of any mob or riot composed of twelve or more persons, the city, or if not in the city then the county in which such property was destroyed, shall be liable to an action by or in behalf of the party whose property was thus destroyed or injured, for three-fourths of the damages sustained by reason thereof.

INTIMIDATION.

By Combinations. If any two or more persons shall combine for the purpose of depriving the

owner or possessor of property of its lawful use and management, or of preventing, by threats, suggestions of danger, or any unlawful means, any person from being employed by or obtaining employment from any such owner or possessor of property, on such terms as the parties concerned may agree upon, such person so offending shall be fined not exceeding $500, or confined in the county jail not exceeding six months.

Of Workmen. If any person shall, by threat, intimidation, or unlawful interference, seek to prevent any other person from working or from obtaining work at any lawful business, on any terms as he may see fit, such person so offending shall be fined not exceeding $200.

Entering Premises to Intimidate. Whoever enters a coal bank, mine, shaft, manufactory, building or premises of another, with intent to commit any injury thereto, or by threats, intimidation or riotous or other unlawful doings, to cause any person employed therein to leave his employment, shall be fined not exceeding $500, or confined in the county jail not exceeding six months, or both.

Compelling Confession. If two or more persons shall commit an assault and battery on, or shall imprison another within this State, for the purpose of obtaining a confession or revelation tending to criminate the person assaulted, or any other person, or shall assault and batter or imprison another on account of a refusal of such person to make such confession or revelation, the person so offending shall be imprisoned in the penitentiary not less than one year nor more than three years.

Compelling to Leave. If two or more persons shall actually do an unlawful act, with force or

violence, against the person or property of another, with an intent thereby to cause such person to leave the state or county against his will, the person so offending shall be imprisoned in the penitentiary not less than one nor more than three years.

Mock Trial. If two or more persons shall, without authority of law, assemble and try another for any real or pretended offense, or for being a person of bad repute, with intent to intimidate or inflict any injury or punishment upon the person so tried, the persons so offending shall be imprisoned in the penitentiary not less than one nor more than three years.

Of Jurors and Others. If two or more persons shall actually do an unlawful act, with force or violence, against the person or property of any grand or petit *Juror,* witness or member of a posse comitatus, on account of any act done by him, in obedience to a duty required of him by law, or to prevent the performance of any such act, the person so offending shall be imprisoned in the penitentiary not less than one nor more than three years.

By Threats. If one or more persons, shall threaten violence to the person or property of another, for the purpose of obtaining a confession of crime, or for the purpose of causing such person to leave the state, or shall threaten violence to the person or property of any grand or petit juror, witness, or a member of a posse comitatus, on account of any act done by him in obedience to a duty required of him by law, or to prevent the performance of any such act, the person or persons so offending shall be severally fined not exceeding $100, or confined in the county jail not more than three months.

CONSPIRACY.

To Indict. If any two or more persons shall conspire or agree, falsely and maliciously, to charge or indict, or cause or procure to be charged or indicted, any person for any criminal offense, each of the persons so offending shall be fined not exceeding $1000, and confined in the county jail not exceeding one year.

Conspiracy to Boycott, Blacklist, or Do an Illegal Act. If any two or more persons conspire or agree together, or the officers or executive committee of any society or organization or corporation, shall issue or utter any circular or edict, as the action of or instruction to its members, or any other persons, societies, organizations, or corporations, for the purpose of establishing a so called boycott or blacklist, or shall post or distribute any written or printed notice in any place, with the fraudulent or malicious intent wrongfully and wickedly to injure the person, character, business or employment, or property of another, or to obtain money or other property by false pretenses, or to do any illegal act injurious to the public trade, health, morals, police, or administration of public justice, or to prevent competition in the letting of any contract by the State, or the authorities of any counties, city, town or village, or to induce any person not to enter into such competition, or to commit any felony, they shall be deemed guilty of a conspiracy; and every such offender, whether as individual or as the officer of any society or organization, and every person convicted of conspiracy at common law, shall be fined not exceeding $2000, or shall be imprisoned in the county jail not exceeding one year, or shall be imprisoned in the penitentiary for a term of

not less than one year and not exceeding five (5) years or may be fined or so imprisoned in the county jail or penitentiary.

Conspiracy Against State, County or City. That if two or more persons conspire either to commit any offense against the State of Illinois, or any county, incorporated city, village, town, or township, thereof, in any manner, or for any purpose, and one or more of such parties, do any act to effect the object of such conspiracy, all parties to such conspiracy shall be liable to a penalty of not less than one hundred dollars, and not more than five thousand dollars, and be imprisoned either in the penitentiary or county jail for any period not exceeding two years. The time and place of confinement and the amount of the fine to be determined by the jury trying the cause: PROVIDED, however, this act shall not be construed to modify or repeal any other law now in force in this state.

Evidence. In a prosecution for conspiracy, the offense may be established by evidence purely circumstantial. But in order to sustain a conviction, the object of the conspiracy must be proved as laid in the indictment. In conspiracy the thing intended need not be accomplished; the bare combination or joint design, with the required intent, constitutes the crime.

No overt acts need be alleged or proved except for the purpose of showing the combination and intent.

A conspiracy cannot be committed by one alone; nor by husband and wife alone, they being regarded legally as one, unless entered into before their marriage. But the wife may be joined with her husband if there is another conspirator.

A conspiracy is a confederacy of two or more persons to do an unlawful act, or a lawful act by some unlawful means.

BOMBS.

Damage to Dwelling House by Bomb or Explosive. Whoever shall wilfully and maliciously destroy, damage, injure or deface any building used or designed for human occupancy, or shall attempt so to do, by means of any bomb, dynamite or other explosive, or by means of any similar instrument or implement, shall be imprisoned in the penitentiary for a period of not less than one year nor more than twenty years.

Injury to Inmate. Whoever shall wilfully and maliciously destroy, injure or deface any building used or designed for human occupancy, or shall attempt so to do, by means of any bomb, dynamite or other explosive or by means of any similar instrument or implement and thereby shall injure any human being, whether such human being be an inmate of such structure or otherwise, shall be imprisoned in the penitentiary for a period of not less than one year nor more than twenty-five years.

Aiding and Abetting. Whoever shall stand by and aid or abet, or assist, or whoever, not being present aiding, abetting or assisting, shall advise, encourage, aid or abet the perpetration of such willful and malicious act, shall be considered a principal and shall be punished accordingly.

DEADLY WEAPONS.

SECTION 1. It shall be unlawful for any person to carry or possess or sell, loan or give, to any person any blackjack, slingshot, sand-club, sand-bag,

metal knuckles, bludgeon, or to carry or possess, with intent to use the same unlawfully against another, a dagger, dirk, billy, dangerous knife, razor, stiletto or any other dangerous or deadly weapon or instrument of like character.

SECTION 2. It shall be unlawful for any person, not being the father, guardian or employer of the minor herein named, by himself or agent, to sell, give, loan, hire or barter, or offer to sell, give, loan, hire or barter to any minor, any pistol, revolver, derringer, bowie knife, dirk or other deadly weapon of like character capable of being secreted upon the person.

SECTION 3. All persons dealing in deadly weapons, hereinbefore mentioned, at retail within this State, shall keep a register of all such weapons sold or given away by them. Such register shall contain the date of the sale or gift, the name and the age of the person to whom the weapon is sold or given, the price of the said weapon, and the purpose for which it is purchased or obtained. The said register shall be in the following form:

NO. OF WEAPON	TO WHOM SOLD OR GIVEN	AGE OF PURCHASER	KIND AND DESCRIPTION OF WEAPON	FOR WHAT PURPOSE PURCHASED OR OBTAINED	PRICE OF WEAPON

Said register shall be kept open for the inspection of the public, and all persons who may wish to examine the same, may do so at all reasonable times during business hours.

SECTION 4. It shall be unlawful for any person to carry concealed upon his person, any pistol, revolver, or other firearm, without a written license therefor, issued as hereinafter prescribed in this section.

It shall be the duty of chief police officers in cities, and of justices of the peace and police magistrates elsewhere in the State, upon written application therefor, and upon giving satisfactory proof of good moral character and that proper cause exists for the issuance thereof, to issue a license to any citizen of the State of Illinois to carry concealed a pistol or revolver.

The application for a license shall be sworn to by the applicant and shall state the particular cause, reason or condition for such application, and shall be accompanied by the affidavits of two reputable householders, residents of the county in which the application is made, which shall certify from personal knowledge to the good moral character of the applicant and that they have investigated the particular cause, reason or condition assigned in the application and believe the same to be true and correct. The license so issued shall state the particular cause, reason or condition for its issuance and shall contain the names of the persons whose affidavits accompany the application.

Any license issued in pursuance of the provisions of this section may be limited as to the period for which issued and may be vacated and cancelled at any time for good cause by the chief police officer or the justice of the peace or police magistrate issuing the same. Conviction of a licensee for a felony shall operate as a revocation of any such license.

SECTION 5. Section four (4) of this act shall not apply to sheriffs, coroners, constables, policemen, or other peace officers, or any warden, superintendent or head keeper of any prison, penitentiary, county jail or other institution for the detention of persons convicted of or accused of crime, while engaged in the discharge of their official

duties, or to any person summoned by any of such officers to assist in making arrest, or preserving the peace, while such person so summoned is engaged in assisting such officer, or to the regular and ordinary transportation and sale of firearms as merchandise.

Penalties. Whoever shall violate the provisions of section 1 or section 4 of this Act shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars ($100) nor more than one thousand dollars ($1000), or imprisonment in the county jail for a period of not more than one (1) year, or both such fine and imprisonment.

Whoever shall violate the provisions of section 2 or section 3 of this Act shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than twenty-five dollars ($25) nor more than one thousand dollars ($1000), or imprisonment in the county jail for a period of not more than six months, or both such fine and imprisonment.

Any person who shall willfully and falsely swear or affirm as to any material fact in any affidavit provided for in section 4 of this Act, shall be deemed guilty of perjury and shall be punished according to the laws of this State.

Violation After Conviction of Felony. Whoever after having been convicted of murder, manslaughter, robbery, burglary, rape, mayhem, assault with a deadly weapon, or assault with intent to commit a felony, shall violate the provisions of section 4 of this Act, shall be guilty of a felony and, upon conviction, shall be punished by imprisonment in the penitentiary for not less than one year nor more than ten years.

BASTARDY.

Proceedings in the Municipal Court of Chicago. When a woman who shall be pregnant, or delivered of a child, which, by law, would be deemed a bastard, shall file in the Municipal Court, if she be pregnant, or so delivered in the City of Chicago or the person accused be found in said City of Chicago, her complaint in writing, under oath or affirmation, accusing a person of being the father of such child, the court shall issue a warrant against the person so accused and cause him to be brought forthwith before the court.

Such warrant shall be issued to any police officer of the City of Chicago, bailiff, sheriff and to all constables in the State of Illinois and may be executed by any officer in any county.

If, upon his appearance, the defendant, denies the charge, the court shall cause an issue to be made up whether the person charged as aforesaid is the real father of the child or not, which issue shall be tried by a jury, unless the party shall elect to waive a trial by jury, in which case the issue shall be tried by the court without a jury.

If, at the time of such court, the woman be not delivered or is unable to attend, the court shall order a recognizance to be taken of the person charged as aforesaid, in such an amount and with such sureties as the court may deem just, for the appearance of such person at the next court after the birth of her child, and should such mother not be able to attend at the next term after the birth of her child, the recognizance shall be continued until she is able.

All further proceedings shall be the same, as near as may be, as are provided by law for similar cases in the Criminal Court of Cook County.

The practice in cases of appeals from and writs of error to the Municipal Court in bastardy cases shall be the same, as near as may be, as is in this Act provided for cases of the first class, such appeals to be taken to and such writs of error to be sued out from the Appellate Court of the first district.

In case the issue is found against the defendant or reputed father or whenever he shall, in open court, have confessed the truth of the charge against him, he shall be condemned by the order and judgment of the court to pay a sum of money not exceeding two hundred dollars for the first year after the birth of the child, and a sum not exceeding one hundred dollars yearly, for nine years succeeding said first year, for the support, maintenance and education of such child, and shall, moreover, be adjudged to pay all the costs of the prosecution, for which costs execution shall issue as in other cases. And the reputed father shall be required by said court to give bond with sufficient security to be approved by the judge of said court for the payment of such sum of money as shall be ordered by said court, as aforesaid; which said bond shall be made payable to the People of the State of Illinois and conditioned for the due and faithful payment of said yearly sum, in equal quarterly installments, to the clerk of said court, which bond shall be filed and preserved by the clerk of said court.

GAMING.

Whoever shall play for money, or other valuable thing at any game with cards, dice, checks, or at billiards, or with any other article, instrument or thing whatsoever, which may be used for the purpose of playing or betting upon, or winning or los-

ing money, or any other thing or article of value, or shall bet on any game others may be playing, shall be fined not exceeding $100 and not less than $10.

OPERATING GAMBLING DEVICE.

That whoever, in any room, saloon, inn, tavern, shed, booth or building or inclosure or in any part thereof, keeps, operates, owns, rents or uses any clock, joker, tape or slot machine or any other device upon which money is paid or played upon chance, or upon the result of the action of which money or other valuable thing is staked, bet, hazarded, won or lost, shall, upon conviction for the first offense, be fined not less than $100, and for a second offense be fined not less than $500 and be confined in the county jail not less than six months, and for a third offense shall be fined not less than $500 and be imprisoned in the penitentiary not less than two (2) years nor more than four (4) years.

Gambling Device Defined—Confiscation. Every clock, tape machine, slot machine or other machine or device for the reception of money on chance, or upon the action of which money is staked, hazarded, bet, won or lost, is hereby declared a gambling device, and shall be subject to seizure, confiscation and destruction by any municipal or other local authority within whose jurisdiction the same may be found.

Possession of. Every owner, occupant, lessee, mortgagee or other person in possession of any premises upon which any gambling device may be located, and every person in the use, operation, lease or other possession of the same shall be fined for the first offense not less than $100, and for the

second offense not less than $500, and shall be confined in the county jail not less than six (6) months, and for the third offense shall be fined not less than $500 and shall be imprisoned in the penitentiary not less than two (2) years nor more than four (4) years.

Prohibits Pool Rooms—Penalties. Any person who keeps any room, shed, tenement, tent, booth or building, or any part thereof, or who occupies any place upon any public or private grounds within this State with any book, instrument or device for the purpose of recording or registering bets or wagers, or of selling pools, or any person who records or registers bets or wagers, or sells pools upon the results of any trial or contest of skill, speed or power of endurance of man or beast, or upon the result of any political nomination, appointment or election; or being the owner, lessee or occupant of any room, shed, tenement, tent, booth or building, or part thereof, knowingly permits the same to be used or occupied for any of these purposes, or therein keeps, exhibits or employs any device or apparatus for the purpose of recording or registering such bets or wagers, or selling of such pools, or becomes the custodian or depository for hire, or privilege, of any money, property, or thing of value staked, wagered or pledged upon any such result, shall be punished by imprisonment in the county jail for a period not longer than one year, or by fine not exceeding $2000, or both; PROVIDED, however, that the provisions of this act shall not apply to the actual inclosure of fair or race track associations that are incorporated under the laws of this State, during the actual time of the meetings of said associations, or within twenty-four hours before such meetings.

Gaming House—Boat for Gambling. Whoever keeps a common gaming house, or in any building, booth, yard, garden, boat or float, by him or his agent used and occupied, procures or permits any persons to frequent, or to come together to play for money or other valuable thing, at any game, or keeps or suffers to be kept any tables or other apparatus, for the purpose of playing at any game or sport, for money or other valuable thing, or knowingly rents any such place for such purposes, shall, upon conviction, for the first offense be fined not less than $100, and for the second offense be fined not less than $500, and be confined in the county jail not less than six months, and for the third offense shall be fined not less than $500, and be imprisoned in the penitentiary not less than two years nor more than five years.

JUNK DEALERS.

Not to Purchase From Minors. It shall be unlawful for any junk dealer, pawnbroker, or any second-hand dealer, either directly or indirectly, to purchase or receive by way of barter or exchange, or otherwise, anything of value, or to receive on deposit or pledge anything of value, as security for a loan of money, from any person, either male or female under the age of their legal majorities respectively.

Penalty. Any person violating the provisions of section 1 of this Act shall upon conviction, be fined in a sum not exceeding $500 for each offense.

STINK BOMBS.

Depositing Stink Bombs on Premises of Another. It shall be unlawful to deposit, or attempt to deposit, or abet in the disposing of, any stink bomb or

any stinking, offensive smelling or injurious bomb or substance upon the property of another with the malicious intent wrongfully to injure, molest or coerce another, or to injure the property or business of another, or to molest another in the use, management, conduct or control of his business or property.

Possession of Stink Bombs With Intent to Use Unlawfully. It shall be unlawful for any person to have in his possession or under his control any stink bomb or any stinking, offensive smelling or injurious bomb or substance with the intent to use the same or that the same shall be used in violation of section 1 of this Act.

Punishment. Any person who violates any of the provisions of this act shall be confined in the county jail not less than sixty days nor more than one year.

DRAWING, ETC., CHECKS, ETC., WITH INTENT TO DEFRAUD.

Fraudulent Check, Draft or Order. Any person who with intent to defraud, shall make or draw or utter or deliver any check, draft or order for the payment of money upon any bank or other depository, and thereby obtains from any person any money, personal property or other valuable thing knowing at the time of such making, drawing, uttering or delivery that the maker or drawer has not sufficient funds in or credit with such bank or other depository for the payment of such check, draft or order in full upon its presentation, shall be guilty of a misdemeanor; and upon conviction thereof shall be fined not more than one thousand dollars or imprisoned not more than one

year, or both. The making, drawing, uttering or delivering of such check, draft or order as aforesaid shall be *prima facie* evidence of intent to defraud.

ESCAPE.

By Refusal of Officer to Arrest. Every sheriff, jailer, coroner, policeman or other officer authorized to make arrests, or to have the custody of prisoners, who wilfully and corruptly refuses to arrest or confine any person charged with or convicted of any offense, or wilfully and corruptly omits or delays to execute any process to him directed, whereby the offender escapes, shall be confined in the county jail not exceeding one year, or fined not exceeding $1000, or both and may be removed from his office.

Aiding a Prisoner. Whoever aids or assists a prisoner in escaping or attempting to escape from an officer or person who has the lawful custody of such prisoner, shall be confined in the county jail not exceeding one year, or fined not exceeding $500.

Rescue. Whoever rescues or attempts to rescue a prisoner from an officer or person who has the lawful custody of such prisoner, shall be confined in the county jail not exceeding one year, or fined not exceeding $1000, or both.

The Preceding May Extend to Civil Process. The two preceding sections shall extend to civil as well as criminal process, but in no case shall the fine exceed the sum for which the civil process issued.

Rescue of Prisoner Charged With High Crime Before Conviction. Whoever sets at liberty or rescues, or attempts to set at liberty or rescue, a person charged with the commission of any capital

offense or crime punishable by imprisonment in the penitentiary, before the conviction of such person, shall be imprisoned in the penitentiary for a term of not less than one year and not exceeding five years, and fined not exceeding $1000.

Rescue of Prisoner Convicted of High Crime. Whoever sets at liberty or rescues, or attempts to set at liberty or rescue, any person found guilty or convicted of a crime, the punishment of which is death, shall be imprisoned in the penitentiary not less than one nor more than fourteen years. Whoever shall set at liberty or rescue, or attempt to set at liberty or rescue any prisoner found guilty or convicted of a crime, the punishment of which is imprisonment in the penitentiary, shall be imprisoned in the penitentiary not less than one nor more than ten years.

Officer Allowing Before Conviction. If any sheriff, coroner, jailer, keeper of a prison, constable or other officer or person having any prisoner in his legal custody, before conviction, shall voluntarily suffer or permit such prisoner to escape or go at large, such officer or person so offending shall be fined not exceeding $1000, and confined in the county jail not exceeding six months: PROVIDED, that if such prisoner be in custody charged with murder or other capital offense, then such officer or person suffering or permitting such escape shall be punished by confinement in the penitentiary for any term not less than one year nor more than ten years.

A negligent escape of a person charged with a criminal offense, before conviction, from the custody of any of the aforesaid officers, shall be punished by fine not exceeding $1000.

Officer Allowing After Conviction. If any sheriff, deputy sheriff, coroner, jailer, or other officer shall fraudulently contrive, procure, conceal, aid, connive at or otherwise voluntarily suffer the escape of any convict in his custody, or conceal or assist any convict, after he has escaped, he shall be imprisoned in the penitentiary not less than one nor more than ten years.

Officer of Penitentiary Allowing. If the warden or any officer, guard, agent, servant of, or person employing convicts in or about the penitentiary, shall contrive, procure, aid, connive at, conceal or assist the escape of any convict from the penitentiary, or conceal or assist any convict after he has escaped, he shall be imprisoned in the penitentiary not less than one nor more than ten years.

Aiding Escape. Whoever conveys into the penitentiary, or into any jail or other place of confinement, any disguise, instrument, tool, weapon or other thing adapted or useful to aid a prisoner in making his escape, with intent to facilitate the escape of any prisoner there lawfully committed or detained, or by any means whatever aids or assists such prisoner to escape therefrom, whether such escape is effected or attempted or not, or conceals or assists any convict after he has escaped, shall be confined in the county jail not exceeding one year, or fined not exceeding $1000, or both.

PROHIBITION ACT.
(SEARCH AND SEIZURE).

In Force July 1st, 1921.

SECTION 1. This Act shall be known and cited as the "Illinois Prohibition Act."

SECTION 2. *Definition of Terms.* The phrase "intoxicating liquor" shall be construed to include alcohol, brandy, whiskey, rum, gin, beer, ale, porter and wine, and in addition thereto any spirituous, vinous, fermented or malt liquor, liquors and compounds, whether medicated, proprietary, patented or not, and by whatever name called, containing one half of one per centum or more of alcohol by volume which are fit for use for beverage purposes.

SECTION 3. *Manufacture, Sale, Transporting, Delivery, Possession, etc.* No person shall after the date when this Act goes into effect, manufacture, sell, barter, transport, deliver, furnish or possess any intoxicating liquor except as authorized in this Act, and all provisions of this Act shall be liberally construed to the end that the use of intoxicating liquor as a beverage may be prevented.

SECTION 4. *Excepted Articles.* The articles enumerated in this section shall not, after having been manufactured and prepared for the market, be subject to the provisions of this Act if they correspond with the following descriptions and limitations, namely:

(a) Denatured alcohol or denatured rum produced and used as provided by laws and regulations now or hereafter in force.

(b) Medicated preparations manufactured in accordance with formulas prescribed by the United States Pharmacopœia, National Formulary of the American Institute of Homoepathy, that are unfit for use for beverage purposes.

(c) Patented, patent and proprietary medicines that are unfit for use for beverage purposes.

(d) Toilet, medicinal and antiseptic preparations and solutions that are unfit for beverage purposes.

(e) Flavoring extracts, and sirups that are unfit for use as a beverage or for intoxicating beverage purposes.

(f) Vinegar and preserved sweet cider.

A person who manufactures any of the articles mentioned in this section may purchase and possess alcohol for that purpose, but he shall secure permits from the Attorney General, or in case the office of Commissioner of Prohibition shall be created, then from such Commissioner, to manufacture such articles, and to purchase such alcohol, keep the records, and make the reports specified in this Act. No such manufacturer shall sell, use or dispose of any alcohol otherwise than as an ingredient of the article authorized to be manufactured therefrom.

Any person who shall knowingly sell any of the articles mentioned in paragraphs a, b, c and d of this section for beverage purposes, or who shall sell any extract or sirup for intoxicating beverage purposes, or who shall sell any of the same under circumstances from which the seller might reasonably deduce the intention of the purchaser to use them for such purposes, or shall sell any beverage containing one half of one per centum or more of alcohol by volume in which any extract, sirup, or other article is used as an ingredient shall be subject to the penalties provided in paragraph (A) of section 33 of this Act.

SECTION 5. *Sales in Certain Places Prohibited.* No person shall sell, barter, furnish, give away, or possess any of the articles enumerated in para-

graphs b, c, and d of section 4 which contains one half of one per centum or more of alcohol by volume, whether fit or unfit for beverage use, in any restaurant, poolroom, shoe-shining parlor, bowling alley, ice cream parlor, soft drink establishment or public place where liquid refreshments of any kind are served; PROVIDED, that nothing in this act shall be construed to prohibit the sale of any of the articles enumerated in paragraphs b, c and d of section 4, which are unfit for beverage purposes, in a bona fide drug store, bona fide general store, or bona fide grocery store. Any person violating this section shall be punished as provided for in paragraph (A) of section 33 of this Act.

SECTION 7. *Prescriptions—Hospitals—Permits.* No person shall manufacture, sell, purchase, transport, or prescribe any liquor unless for some purpose expressly permitted by this Act, and in every case a permit must first be obtained from the Attorney General, but in case the office of Commissioner of Prohibition shall be created, then from such commissioner, except that a person may without a permit, purchase and use liquor for medicinal purposes when prescribed by a physician as herein provided, and except that any person who is conducting a bona fide hospital or sanitarium engaged in the treatment of persons suffering from alcoholism, may under such rules, regulations, and conditions as said officer shall prescribe, purchase and use in accordance with the methods in use in such institutions, liquor, to be administered to the patients of such institution under the direction of a duly qualified physician employed by such institution.

All permits to manufacture, prescribe, sell or transport liquor, may be issued for one year, and shall expire on the 31st day of December next succeeding the issuance thereof.

SECTION 8. *Prescriptions.* No one except a physician holding a permit shall prescribe liquor. Such permit shall be granted by the Attorney General, unless the office of Commissioner of Prohibition shall be created, then such commissioner shall grant such permit. It shall be unlawful to prescribe wine, beer or any alcoholic malt liquor, and no physician shall prescribe any liquor unless after careful physical examination of the person for whose use such prescription is sought.

SECTION 10. *Record of Manufacture, Sale, etc.* No person shall manufacture, purchase for sale, sell or transport any liquor without making at the time a permanent record thereof showing in detail the amount and kind of liquor manufactured, purchased, sold or transported, together with the names and addresses of the persons to whom sold, in case of sale, and the consignor and consignee in case of transportation, and the time and place of such manufacture, sale or transportation.

SECTION 18. *Devises Used for Illicit Manufacture—Advertising.* It shall be unlawful to advertise, manufacture, sell or possess for sale any utensil, contrivance, machine, preparation, compound, designed, or intended for use in the unlawful manufacture of intoxicating liquor.

SECTION 21. *Nuisance.* Any room, house, building, boat, vehicle, structure, or place where intoxicating liquor is manufactured, sold, kept, or bartered in violation of this act, or where any mash,

still or other property designed for the illegal manufacture of liquor is kept, and all intoxicating liquor, mash, still or other property kept and used in maintaining the same, is hereby declared to be a common nuisance; a single unlawful sale or barter, or a single act of manufacturing liquor unlawfully shall constitute a nuisance as herein defined. And any person who maintains such a common nuisance shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than $500 or be imprisoned not more than one year, or both. If a person has knowledge or reason to believe that his room, house, building, boat, vehicle, structure, or place is occupied or used for the manufacture or sale of liquor contrary to the provisions of this Act, and suffers the same to be so occupied or used, such room, house, building, boat, structure, vehicle, or place shall be subject to a lien for and may be sold to pay all fines and costs assessed against the person guilty of such nuisance for such violation and any such lien may be enforced by action in any court having jurisdiction.

SECTION 27. *Stills.* It shall be unlawful for any person to own, operate or maintain, or have in his possession or any interest in a still, unless he shall first secure a permit from the Attorney General, but in case the office of Commissioner of Prohibition shall be created, then from such commissioner, to own such still, which permit shall be kept conspicuously posted at the place where the still is located. Any person who violates this section shall for the first offense be fined not more than $200 or imprisoned not exceeding six months or both; and for a subsequent offense shall be deemed guilty of a felony and upon conviction thereof shall be fined not less than $500 nor more

than $2000 and confined in the penitentiary for one year.

SECTION 29. *Search Warrant—Private Residence Complaint.* Whenever complaint is made in writing, verified by affidavit, to any judge, having cognizance of criminal offenses, that complainant has just and reasonable grounds to believe that intoxicating liquor is manufactured, possessed, kept for sale, used, disposed of, or transported in violation of any law of this State, or any mash, still or other property designed for the illegal manufacture of liquor is possessed in any house, building, premises, boat, vehicle, receptacle or other place whatsoever (particularly describing and designating the same) with the facts upon which such belief is based, the judge may issue a search warrant as hereinafter provided: Provided, however, no warrant shall be issued to search a private dwelling occupied as such unless such residence is a place of public resort or intoxicating liquor is sold or kept for sale or possessed therein in violation of the law, or any mash, still or other property designed for the illegal manufacture of liquor is therein kept.

The property taken on any such warrant shall not be taken from the officer seizing the same on any writ of replevin or other like premises.

SECTION 31. *Illegal Transportation—Seizure of Liquor and Vehicle.* Whenever any officer of the law shall discover any person in the act of transporting in violation of the law, intoxicating liquors in any wagon, buggy, automobile, water or air craft, or other vehicle, it shall be his duty to seize any and all intoxicating liquors found therein being transported contrary to law, with or without a war-

rant. Whenever intoxicating liquors transported or possessed illegally shall be seized by an officer he shall take possession of the vehicle and team or automobile, boat, air or water craft, or any other conveyance, and shall arrest the person in charge thereof.

The said vehicle or conveyance, shall be returned to the owner upon execution by him of a good and valid bond with sufficient sureties, in a sum double the value of the property, which said bond shall be approved by the court having jurisdiction of the case and shall be conditioned to return said property to the custody of said officer on the day of the trial to abide the judgment of the court. The court upon conviction of the person so arrested shall order the liquor destroyed.

SECTION 33A. *Punishment.* Any person who manufactures, transports, or sells liquor in violation of this Act shall for a first offense be fined not less than $100 nor more than $1000, or be imprisoned not less than sixty days nor more than six months or both and for a second or subsequent offense shall be fined not less than $500 nor more than $1500, and be imprisoned in the State penitentiary not less than one year nor more than two years.

(B) Any person violating the provisions of any permit, or who makes any false record or report required by this Act, or violates any of the provisions of this Act, for which offense a special penalty is not prescribed, shall be fined for the first offense, not less than $100 nor more than $1000, or be imprisoned not less than sixty days, nor more than six months; for any subsequent offense he shall be punished by a fine of not less than $500 nor more

than $1500, and be imprisoned in the State penitentiary not less than one year nor more than two years.

CHILDREN.

Crime Against—Taking Indecent Liberties with. Any person of the age of seventeen years and upwards, who shall take, or attempt to take, any immoral, improper or indecent liberties with any child of either sex, under the age of fifteen years, with the intent of arousing, appealing to or gratifying the lust or passions or sexual desires, either of such person or of such child, or of both such person and such child, or who shall commit, or attempt to committ, any lewd or lascivious act upon or with the body, or any part or member thereof, of such child, with the intent of arousing, appealing to or gratifying the lust or passions or sexual desires, either of such person or of such child, or of both such person and such child, or any such person who shall take any such child or shall entice, allure or persuade any such child, to any place whatever for the purpose either of taking any such immoral, improper or indecent liberties with such child, with said intent, or of committing any such lewd or lascivious act upon or with the body, or any part or member thereof, of such child with said intent, shall be imprisoned in the penitentiary not less than one year nor more than twenty years: PROVIDED, that this Act shall not apply to offenses constituting the crime of sodomy or other infamous crimes against nature, incest, rape or seduction.

Proof. An indictment charging an offense in the terms and language of the statute creating it is sufficient if the words of the statute so far particularize the offense as by their use alone will notify

the defendant with reasonable certainty of the precise offense with which he is charged.

Dependent and Neglected Child (Meaning). Any male who while under the age of seventeen years, or any female who while under the age of eighteen years, for any reason is destitute, homeless or abandoned; or dependent upon the public for support; or has not proper parental care or guardianship; or habitually begs or receives alms; or is found living in any house of ill-fame, or with any vicious or disreputable person; or has a home which by reason of neglect, cruelty or depravity on the part of its parents, guardian or any other person in whose care it may be is an unfit place for such child; and any child who while under the age of ten years is found begging, peddling or selling any articles or singing or playing any musical instrument for gain upon the street or giving any public entertainment or accompanies or is used in aid of any person so doing.

Contributing to the Dependency and Neglect. Penalty. Any parent, legal guardian or person having the custody of a male under the age of 17 years or of a female under the age of 18 years, who shall knowingly or wilfully cause, aid or encourage such person to be or to become a dependent or neglected child as defined in section 1, or who shall knowingly or wilfully do acts which directly tend to render any such child so dependent and neglected, or who shall knowingly or wilfully fail to do that which will directly tend to prevent such state of dependency and neglect shall be deemed guilty of contributing to the dependency and neglect of children and on conviction thereof, shall be fined not more than $200 or by imprisonment in the county jail, house of correction or workhouse for not more than

one year or both by such fine and imprisonment: PROVIDED, that instead of imposing the punishment hereinbefore provided, the court shall have the power to release the defendeant from custody on probation for the space of one year upon his or her entering into recognizance with or without security in such sum as the court may direct.

The conditions of the recognizance shall be such that if the defendant shall make his or her personal appearance in court whenever ordered to do so within the year and shall provide and care for such neglected and dependent child in such manner as to prevent a continuance or a repetition of such state of dependency and neglect or as otherwise may be directed by the court then the recognizance shall be void, otherwise in full force and effect. If the court be satisfied by information and due proof under oath that at any time during the year the defendant has violated the terms of such order it may forthwith revoke the order and sentence him or her under the original conviction. Unless so sentenced, the defendant shall at the end of the year be discharged. In case of forfeiture on the recognizance the sum recovered thereon may in the discretion of the court be paid in whole or in part to someone designated by the court for the support of such dependent and neglected child.

The husband or wife of the defendant shall be a competent witness to testify in any case brought under this Act and to any and all matters relevant thereto.

Delinquent Child (Meaning). A delinquent child is any male who while under the age of seventeen (17) years, or any female who while under the age of eighteen (18) years violates any law of this State; or is incorrigible, or knowingly associates

with thieves, vicious or immoral persons; or without just cause and without the consent of its parents, guardian or custodian absents itself from its home or place of abode, or is growing up in idleness or crime; or knowingly frequents a house of ill-repute; or knowingly frequents any policy shop or place where any gambling device is operated; or frequents any saloon or dram-shop where intoxicating liquors are sold; or patronizes or visits any public pool room or bucket shop; or wanders about the streets in the night time without being on any lawful business or lawful occupation; or habitually wanders about any railroad yards or tracks or jumps or attempts to jump onto any moving train; or enters any car or engine without lawful authority; or uses vile, obscene, vulgar, profane or indecent language in any public place or about any school house; or is guilty of indecent or lascivious conduct.

Contributing to Delinquency of Child. Penalty. Any person who shall knowingly or wilfully cause, aid or encourage any male under the age of 17 years or any female under the age of 18 years to be or to become a delinquent child as defined in above section, or who shall knowingly or wilfully do acts which directly tend to render any such child so delinquent and who when able to do so, shall wilfully neglect to do that which will directly tend to prevent such state of delinquency shall be deemed guilty of the crime of contributing to the delinquency of children and on conviction thereof shall be punished by a fine of not more than $200, or by imprisonment in the county jail, house of correction or workhouse not more than one year, or by both such fine and imprisonment.

The husband or wife of the defendant shall be a competent witness to testify in any case brought under the provisions of this act and to any and all matters relevant thereto.

Who May Petition the Court to Take Charge of Dependent, Delinquent, or Neglected Child. Any reputable person, being a resident of the county, may file with the clerk of the court having jurisdiction of the matter, a petition in writing, setting forth that a certain child naming it, within his county, not now or hereafter an inmate of a State institution incorporated under the laws of this State, except as provided in sections 12 and 18 hereof, is either dependent, neglected or delinquent as defined in section 1, hereof; and that for the interest of the child and this State that (the) child be taken from its parent, parents, custodian or guardian and placed under the guardianship of some suitable person to be appointed by the court; and that the parent, parents, custodian or guardian of such child, are unfit or improper guardians, or are unable or unwilling to care for, protect, train, educate, control or discipline such child, or that the parent, parents, guardian or custodian consent that such child be taken from them.

The petition shall also set forth, either the name, or that the name is unknown to petitioner (a) of the person having the custody of such child; and

(b) of each of the parents or the surviving parent of a legitimate child or of the mother of an illegitimate child; or

(c) if it allege that both such parents are or such mother is dead, then of the guardian, of such child;

(d) if it allege that both such parents are or that such mother is dead and that no guardian of

such child is known to petitioner, then, of a near relative, or that none such is known to petitioner.

The petition shall set forth the residences of such parties so far as the same are known to the petitioner. All persons as named in such petition shall be made defendants by name and shall be notified of such proceedings by summons if residents of this State in the same manner as is now or may hereafter be required in chancery proceedings by the laws of this State except only as herein otherwise provided. All persons, if any, who or whose names are stated in the petition to be unknown to petitioner, shall be deemed and taken as defendants by the name or designation of "all whom it may concern."

The petition shall be verified by affidavit, which affidavit shall be sufficient upon information and belief.

Process may be issued against all persons made parties by the designation of "all whom it may concern," by such description, and notice given by publication as is required in this Act shall be sufficient to authorize the court to hear and determine the suit as though the parties had been sued by their proper names.

Summons. The summons shall require the person alleged to have the custody of the child to appear with the child at the time and place stated in the summons; and shall also require all defendants to be and appear and answer the petition on the return day of the summons. The summons shall be made returnable at any time within twenty days after the date thereof and may be served by the sheriff, or by any duly appointed probation officer, even though such officer be the petitioner.

The return of such summons with endorsement of service by the sheriff or by such probation officer in accordance herewith shall be sufficient proof thereof.

CITY ORDINANCES REGARDING THE EMPLOYMENT OF CHILDREN ON STREETS AND PUBLIC PLACES.

Sections 2644, 2645, 2646.

Section 2644. It shall be unlawful for any girl under the age of 18 years to distribute, sell, expose, or offer for sale, any newspapers, magazines, periodicals, gum, or any other merchandise, or to distribute hand bills or circulars, or any other articles, or to exercise the trade of bootblack or any other trade or occupation or to solicit money or other thing of value, in any street or public place in the city, and it shall be unlawful for any person, firm or corporation, to employ such girl under the age designated herein, or permit or suffer such girl to be employed at the trade of a bootblack, or any other trade or occupation, in any street or public place in the city.

Section 2645. No boy under the age of 14 years shall pursue any of the occupations mentioned in Section 2644, upon the streets or public places of the city, before five o'clock in the morning, or after eight o'clock in the evening, and no boy between the ages of 14 and 16 years shall pursue any of said occupations upon the streets and public places of the city before five o'clock in the morning or after eight o'clock in the evening, unless he shall be provided with and have on his person an employment certificate issued in accordance with the requirements of a certain Act of the

general assembly concerning child labor, approved June 26, 1917, as amended.

SECTION 2646. Any girl under the age of 18 years or any boy under the age of 16 years, who shall violate any of the provisions of the two preceding sections shall be warned by any police officer who shall discover any violation of said sections forthwith to comply with the provisions of same and to desist from further violation thereof, and such officer shall also without delay report such violation to his superior officer who shall cause a written notice to be served upon the parent, guardian, custodian or person in control or charge of such boy or girl, setting forth the manner in which the said two preceding sections, or either of them, have been violated. In case any girl under the age of 18 years after such warning, shall again pursue any occupation mentioned in Section 2644 in any street or public place of this city, or any boy under the age of 16 years, after such warning, again pursue any such occupation contrary to the provisions of section 2645, he or she shall be subjected to the penalty herein provided for; and in case any parent, guardian, custodian or person in control or charge of such boy or girl, who has received notice as provided for herein, shall knowingly permit such boy or girl again to violate the provisions of this ordinance, or shall procure or engage such boy or girl after such notice to pursue an occupation in a manner contrary to the provisions of same, such parent, guardian, custodian or person in control or charge of such boy or girl shall also be subject to such penalty. Any violation of either of the two preceding sections, after the warning or notice herein provided for shall be punished by a fine of not more than $100.

CHILDREN NOT TO BE ON STREET DURING CERTAIN HOURS.

SECTION 2639. It shall be unlawful for any child under the age of sixteen years to be upon any public street in the city between the hours of ten o'clock p.m. and six o'clock a.m. unless accompanied by, and in charge of, a parent, guardian or other proper companion of the age of twenty-one years or more, or unless engaged in some occupation or business which such child may, under the laws of the state, lawfully engage in.

Notice to Violators. SECTION 2640. Any child under the age of sixteen years who shall violate any of the provisions of this ordinance shall be warned by any police officer who shall discover any violation of this ordinance, forthwith to comply with the provision of this ordinance and to desist from further violation thereof, and such officer shall also without delay report such violation to his superior officer, who shall cause a written notice to be served upon the parent, guardian, custodian or person in control or charge of such child, setting forth the manner in which the ordinance has been violated. In case any child under the age of sixteen years after such warning, shall again violate any of the provisions of this ordinance, such child shall be apprehended as a juvenile delinquent and offender and shall be brought before the juvenile court of Cook County to be dealth with accordingly; and in case any parent, guardian, custodian, or person in control or charge of such child, who has received notice, as provided for herein, shall knowingly permit such child again to violate the provisions of this ordinance, such parent, guardian, custodian or person

in control or charge of such child, shall be punished by a fine of not less than $5, nor more than $100 for each offense.

Exhibition of Children. SECTION 2641. No person having the care, custody or control of any child under the age of fourteen years, shall cause or permit any child to be exhibited, used or employed, or shall apprentice or let out, or otherwise dispose of any such child to any person, firm or corporation for the vocation, occupation, service or purpose of singing or playing on musical instruments on the streets or alleys, or of rope or wire walking, dancing, begging or peddling, or as a gymnast, contortionist, rider or acrobat in any place whatsoever, or for any obscene, indecent or immoral purpose, exhibition or practice whatsoever, or in or about any business, exhibition or vocation injurious to the health or dangerous to the life or limb of such child, or cause, procure or encourage any such child to engage therein.

Penalty not less than $5 nor more than $100.

Begging. SECTION 2647. It shall be unlawful for any person acting for himself or as an officer or agent of any association, society or institution, to employ or use or to permit or suffer the employment or use of any girl under the age of eighteen years or any boy under the age of seventeen years for the purpose of solicitation or begging of money or other valuable thing upon the streets or public places within the city, whether such solicitation is for charitable purposes or any other purpose or whether such solicitation is conducted on a day set apart as a so-called tag day or otherwise.

Penalty. Not less than $5, nor more than $100 for each offense.

CITY ORDINANCES

Applicable to the

POLICE DEPARTMENT

ACCIDENTS (*See Motor Vehicles.*) SECT. 2627. Any person, who riding, driving, etc., bicycle, motorcycle, automobile, carriage, wagon, etc., and who runs against or over any person, should stop and give assistance and render aid, and give correct name and address to any person who inquires; failure to do so, fine not less than $5 nor more than $100. Driver of such vehicle to report accident to nearest police station or to the headquarters of the department of police at city hall.

ADVERTISING *See Bill-posting, Gambling, Hand-bills.*

AIR GUNS. *See Deadly Weapons (Toy Fire Arms).*

ALLEYS. *See Traffic Regulations.*

ANIMALS. *(See Bakeries, Dogs, Traffic Regulations.)* SECT. 2622.

Cruelty to:

(1) By overloading, driving, working, cruelly beating, torturing, tormenting, mutilating or cruelly killing any animal or causing or allowing same to be done;

(2) By cruelly working any old, maimed, infirm, sick or disabled animal or causing or allowing same to be done;

(3) By unnecessarily failing to provide any animal with proper food, drink, shelter and air;

(4) By abandoning any old, maimed, infirm, sick or disabled animal;

(5) By carrying or driving, or causing to be carried or driven or kept, any animal in an unnecessarily cruel manner.

(6) By carrying or causing to be carried, keeping, etc, any animal bound or tied by its legs, or bound down by the neck, so that it cannot stand freely in an upright position while being transported, or by carrying, keeping, etc., any animal in any crate or cage so constructed so as to permit such animal to stick or push its head through crate or between the slats, wires or other openings of such crate or cage unless space is sufficient to permit such animal to freely withdraw its head therefrom: Violations: Fine not less than $3 nor more than $100.

ANIMALS. *Driving Into Tunnel.* SECT. 2623. No person shall ride or drive any horses, cattle, sheep or other animal, nor any vehicle of any sort into or through any tunnel or its approaches located in or under any street or under the Chicago river or any of its branches. Penalty not more than $25 for each offense. This section not to apply to street cars operated therein.

ASHES. *Offal, Noxious Matter—Dumping of.* SECT. 2204. No person, firm or corporation shall empty, dump or deposit any ashes, soot, sand, refuse,

offal, rubbish, cinders, dirt, manure, street sweepings or any substance that might contain germs or is subject to be carried off by wind, or any substance that may decompose or become filthy, etc., upon any private property or upon any vacant lot or grounds within the city limits. Such dumping is a nuisance. Penalty for violation not less than $5 nor more than $100 for each offense.

ATHLETIC FIELDS. *See Throwing Glass in Public Places.*

AUCTIONEER. SECT. 219. To be licensed after making application in writing and paying to city collector the sum of $600, upon approval of application.

SECT. 222. None but licensed auctioneer to sell at auction. Penalty for violation not less than $25 nor more than $100.

SECT. 225. Sales at auction otherwise than at place designated in license prohibited except by special permit. Fee $10 per day for special permit.

SECT. 227. Purchaser has right to return articles within five days from date of sale and money to be refunded if article sold is not as represented. Failure on part of auctioneer to do so results in forfeiture of license and fine of not more than $50.

SECT. 228. *Substitution.* Any auctioneer who exhibits and offers for sale any article and who shall afterward substitute any article in lieu of that offered to and purchased by bidder, shall forfeit license and be fined not more than $50.

AUTOMOBILES. *(See Motor Vehicles.) Intoxicated Person Not to Operate.* SECT. 2626. No person while in state of intoxication to operate,

etc., grip car, automobile, motor car or other vehicle propelled by mechanical power upon streets, while such vehicle is in motion, or the machinery or any part thereof is in motion. Violation subject to penalty $100 to $200.

AWNINGS. *Construction of.* SECT. 3597. All awnings to be six feet, six inches at lowest part over surface of sidewalk. To be supported without posts by iron brackets or by iron work firmly attached to building, so as to leave sidewalk unobstructed.

SECT. 3598. *Removal of.* All awnings, erected or constructed otherwise than above to be removed within five days after date of notice so to do by commissioner of public works.

SECT. 3599. *Penalty.* For violation of section 3597 or for violation of section 3598 within five days after receipt of notice to remove, $5, and a separate offense shall be regarded as having been committed on every day such violation continues.

BAKERIES. *Sleeping in—Domestic Animals.* SECT. 305. No person shall sleep in any bakery, or in the rooms where flour or meal used in connection therewith, or the food products made therein, are handled or stored. If any sleeping places are located on the same floor as the bakery, they shall be well ventilated, dry and sanitary. No domestic animals, except cats, shall be permitted in a bakery or place where flour or meal is stored in connection therewith, and suitable provision shall be made to prevent nuisances from the presence of cats. Penalty not less than $5, to $100.

BETTING. *See Gambling.*

BICYCLES. SECT. 2628. Unlawful for any person operating bicycle upon any of the streets, etc., to carry a person on handlebars of such bicycle. Violators subject to fine of not less than $1 nor more than $5.

BILL BOARDS. *See Signs.*

BILL POSTING, *Distributing Advertising Matter.* SECT. 366. Unlawful for any person, firm or corporation, to distribute, hand out or scatter upon any street, etc., or other public place in city, any circular, dodger, handbill, pamphlet, card, picture or any advertising matter of any kind whatsoever, or to distribute handbills or other advertising matter of any kind at houses, stores, or places of business otherwise than by putting same under door or in letter boxes and when so distributed no bell connected with houses, stores, etc., shall be rung. Violations not less than $10 nor more than $200.

SECT. 367. *Posting Bills.* Unlawful for any person, firm or corporation, to post, stick, stamp, tack, paint or otherwise fix, or cause the same to be done by any person, any notice, placard, bill, card, poster, advertisement or other device calculated to attract the attention of the public, to or upon any sidewalk, cross-walk, curb or curbstone, flagstone or any other portion or part of any sidewalk or street, lamp post, electric light, telegraph, telephone or trolley line pole, hitching post, hydrant, shade tree or tree box, or upon any bridge, pier, fence, gate, or upon any pole, box or fixture of the fire alarm or police telegraph system, except such as may be required by laws of the State or ordinances of the City. Penalty for violation not less than $10 nor more than $200.

SECT. 368. Unlawful for any person, firm or corporation to post, etc., or cause same to be done, any notice, etc., upon any building or part thereof without first obtaining the written consent of owner, agent, lessee or occupant of such building; PROVIDED, that where handbill, poster, etc., exceeds 12 square feet in area, permit must be obtained from commissioner of buildings. This section does not apply to bill-boards owned or controlled by private individuals. Penalty for violation not less than $10 nor more than $200.

SECT. 370. *Medical Advertising Prohibited.* No person, firm or corporation shall post or cause to be posted on any advertising wagons or upon or in any place within the city limits where same can be seen from streets, alleys or other public places of the city, any advertisement, etc., giving information from whom or where medicines or remedies can be obtained for the cure, prevention or treatment of the following: Uterine diseases, or diseases peculiar to females, venereal diseases, or diseases of the genital organs; nervous debility, impotence, sterility or barrenness; gonorrhea, gleet, stricture, syphilis, affection of the prostate gland, abortion or miscarriage; nor any information relating to articles or means of preventing conception. Penalty not less than $25 nor more than $50.

SECT. 371. *Obscene or Immoral Pictures.* No person, firm or corporation carrying on business of bill-posting, or sign painting shall post or cause to be posted, so that same can be seen from streets, allleys or other public places of the city any advertising matter containing pictures or illustrations of an obscene or immoral characer, under penalty of not less than $25 nor more than $200.

BILLIARD, POOL ROOMS, BOWLING ALLEYS. SECT. 331. *License Required.* Penalty for operating without license not less than $10 nor more than $200.

SECT. 338. Unlawful to operate between hours of 1 A.M. and 7 A.M. No person permitted to remain between such hours except regular employees. Penalty for violation not less than $10 nor more than $200.

SECT. 341. *Gambling.* No dice shall be thrown for money, nor shall cards, raffles or other games of chance, or any form of gambling be permitted in any billiard room, or in the room in which billiard tables are located, or at cigar stand. Penalty for violation, not less than $10 nor more than $200.

SECT. 343. *Screens Prohibited.* No screens, curtains, blinds, partitions or other obstructions to be placed between front windows and back or rear wall of billiard room. An unobstructed view of entire interior must be had from front entrance at all times. Violating resulting in penalty of not less than $10, nor more than $200.

SECT. 344. *Connection With Gambling or Immoral Places.* Unlawful to have any open or secret connections, through doors, windows, trap doors, panels, stairways or other devices, with any place where gambling is conducted or where persons congregate for immoral purposes. Penalty fine of not less than $10, nor more than $200.

SECT. 345. *License to Be Posted.* Every licensee shall keep his license posted in his billiard room. Violation, penalty: Not less than $10 nor more than $200.

SECT. 351. *Bowling Alleys—License.* No person shall operate, keep or conduct, any bowling or

ball and pin alley without first obtaining license. Penalty not less than $5 nor more than $100 for each offense.

SECT. 355. *Hours.* Not to operate between hours of 1 A.M. and 7 A.M. Penalty not less than $5 nor more than $100.

SECT. 339. *Minors Not Allowed.* No person under the age of 18 years to be in or permitted to play in billiard room unless accompanied by parent. Penalty from $10 to $200.

BONFIRES IN STREETS. SECT. 1538.

(a) No person, shall make or cause to be made a bonfire or a fire for burning paper, hay, straw, shavings or other combustible material in any street, alley or public place within city, except in approved rubbish burner, so constructed as to prevent the escape of sparks or burning material.

(b) Unlawful for any person to burn or ignite, or cause or permit to be burned or ignited in any yard, lot or courtway within the city any inflammable rubbish, refuse or material which may endanger any adjoining building, fence or shed by communication of fire thereto.

Penalty not less than $25, nor more than $200.

BUILDINGS. *Lights.* SECT. 1379. In every building three stories or more in height all stairways and halls shall be supplied with an adequate lighting system of gas or electricity on all floors thereof, and a light shall be maintained on all floors of such building from sunset until sunrise. Such system to be controlled by separate shut-off.

BUILDINGS. *Permit.* SECT. 430. Before the election, enlargement, alteration, repair or removal

of any building or structure permit must be secured from the commissioner of buildings. Operations called for by permit to be begun within six months or permit is void.

Wrecking Building. Permit. SECT. 443. Unlawful to proceed with the wrecking of any building more than one story in height without permit from the commissioner of buildings. Fee five dollars for each twenty-five feet or fraction thereof of frontage. Bond to be filed by wrecking company, with sureties approved by city comptroller indemnifying the city against any loss, damage, etc.

No Building to Be Moved Without Permit. SECT. 3319. No licensed housemover shall remove any house or building without a permit issued by the commissioner of public works. Application for permit to be approved by city forester.

BURGLARS' TOOLS. SECT. 2680. Unlawful to have in possession any nippers, picklock, skeleton key, key to be used with a bit or bits, jimmy, or other burglars' instrument or tool of whatsoever kind or description. Penalty not less than $100, nor more than $200.

CAB STANDS. SECT. 3974. Any licensed public passenger vehicle which exhibits the name of the owner and its license number, subject to the limitations hereinafter contained, may stand at any one of the places designated in sect. 3976 and no other place while waiting for employment.

Signs. SECT. 3975. The superintendent of police will place and maintain appropriate signs designating the location of all stands provided for public cabs and hacks, which signs shall clearly indicate

the number of vehicles which will be permitted to occupy any stand at the same time.

Capacity. SECT. 3977. The capacity of each stand shall be determined by the superintendent of police in accordance with local traffic conditions, provided that the total number of vehicles permitted to occupy the stand at one time shall not exceed the capacity for said stand as set forth in Sect. 3976.

Private Vehicles. SECT. 3980. No private vehicle to stand or use the space in a public stand except to receive or discharge passengers or merchandise, and the owner or driver of any such vehicle violating the provisions of this section shall be fined not less than $5, nor more than $50 for each offense.

CASTING RINDS AND PEELS. *See Sidewalks.*

CALLING OF WARES. SECT. 2649. No person shall make, or cause, permit or allow to be made, upon a public street, etc., any noise of any kind by crying, calling or shouting or by means of any whistle, rattle, bell, gong, clapper, hammer, drum, horn, hand organ, mechanically operated piano, other musical instrument or similar mechanical device or wind instrument for the purpose of advertising any goods, wares of merchandise, or of attracting attention or inviting the patronage of any person to any business whatsoever: PROVIDED, that the said restrictions do not apply to any public alley in the city between the hours of 11 A.M. and 6 P.M. Penalty not less than $2, nor more than $50, for each offense.

HAND ORGAN. SECT. 2650. No person to use or perform with any hand organ or other

musical instrument or device for pay or in expectation of payment, in any of the streets or public places of the city except between the hours of 9 A. M. and 9 P. M. under a penalty of not less than $10, nor more than $25, for each offense.

CIGARETTES. *License.* SECT. 973. Any person who shall keep for sale or to give away or who shall sell or give away or offer to sell or give away, any cigarette or cigarette paper or cigarette wrappers of any kind without license shall be fined not less than $25, nor more than $200 for the first offense, and in case of subsequent convictions each day in which the violation continues shall constitute a separate offense and there shall be a penalty of $25 for each day such person persists in such violation after a conviction for first offense.

Sale to Minors. SECT. 975. No person shall sell, give away, or offer to sell or give away any cigarette, cigarette papers, or any cigarette wrappers of any kind to any person under the age of twenty-one (21) years. Penalty not less than $25, nor more than $100, and his license may be revoked.

Sale Near School. SECT. 976. Unlawful to sell, give away, barter, exchange or otherwise deal in, at any place within 300 feet of building used for school purposes, any cigarettes, tobacco or tobacco product of any form whatsoever used in the making of cigarettes or with which cigarette papers or wrappers are sold or given away. Penalty not less than $25, nor more than $100.

CIGARS. *See Tobacco.*

CIGAR STUMPS. *Collecting.* SECT. 980. Unlawful for any person to pick or gather up from the streets, alleys or thoroughfares of the city, or in any

place where refreshments are sold, restaurant or hotel, or any public building in said city, any cigar or cigarette butt or stump, or the waste, unused or unburned portion of any cigar, tobacco or cigarette, for the purpose of or with the intent of bartering or selling the same or disposing of the same for use in any form of manufactured tobacco. Penalty not less than $10 nor more than $100.

CONCRETE. *See Streets.*

DEADLY WEAPONS. *Carrying Prohibited.* SECT. 1248. Unlawful for any person, within city, to carry or wear under clothes, or concealed about his person, any pistol, revolver, derringer, bowie-knife, dirk, knife, razor or dagger, slung-shot, metallic knuckles, or other dangerous or deadly weapons of a like character, unless licensed to do so under the provisions of an Act of the general assembly of the State of Illinois, or unless such person is sworn in as a duly elected or appointed and qualified peace officer.

Confiscation. SECT. 1249. Any such weapon or weapons duly adjudged by any judge of the municipal court of said city to have been worn or carried by any person in violation of Section one of this act shall be forfeited to and confiscated by the city, as hereinafter provided.

Arrest and Detention. SECT. 1250. Any police officer of the city may, within the city limits, without warrant, arrest any person whom such police officer may find in the act of carrying or wearing under his clothes or concealed about his person, any deadly weapon of the character in this article specified, or any other dangerous or deadly weapon, and detain him in custody until a summons or war-

rant can be procured, or complaint made (under oath or affirmation), for the trial of such person and for the seizure and confiscation of such of the weapons as the person may be found in the act of carrying or wearing under his clothes or concealed about his person.

Warrant—Arrest. SECT. 1251. Upon complaint being made, under oath or affirmation, to any judge of the municipal court in said city, that any person has been guilty of violating any of the provisions of the first section of this article, a summons or warrant shall issue for the summoning or arrest of the offender, returnable forthwith. Upon the return of such summons or warrant, such judge shall proceed to the hearing and determination of the matter, and if it shall be adjudged that such person has violated any of the provisions of this article, such judge shall so adjudge, and, in addition to any other penalty imposed, shall order that the weapon or weapons shall be forfeited to, and confiscated by the city.

Officers Excepted. SECT. 1252. Provisions of this article shall not apply to sheriffs, coroners, constables, members of the police force, or other peace officers engaged in the discharge of their official duties, or to any person summoned by any of such officers to assist in making arrests or preserving the peace, while such person so summoned is engaged in assisting such officer.

Penalty. SECT. 1253. Any person violating any of the provisions of this article shall be fined $200 for each offense, and the confiscation of any such weapon mentioned in this article in the manner herein provided for shall not be held to exempt any person from the imposition of the fine herein provided for.

SALE OF DEADLY WEAPONS. *Unlawful to Sell Knuckles, Etc.* SECT. 1254. Whoever shall have in his possession, or sell, give or loan, hire or barter, or offer to sell, give, loan, hire or barter, to any person within the city, any slung-shot, or metallic knuckles, or other deadly weapons of like character, or any person in whose possession such weapons shall be found, shall be fined not less than $10, nor more than $200 for each offense.

License Required to Sell. SECT. 1255. It shall be unlawful for any person, firm or corporation to engage in the business of selling, or to sell or give away to any person, within the city, any pistol, revolver, derringer, bowie-knife, dirk, or other dangerous weapon of like character which can be concealed on the person, without securing a license so to do as hereinafter provided.

Application. SECT. 1256. Any person, firm or corporation desiring a license authorizing the sale of any of the deadly weapons mentioned in the preceding section, shall make application in writing which shall conform to the general provisions of the ordinance relating to applications for licenses, and shall set out the location at which it is intended or desired to conduct such business. Upon receipt of such application it shall be the duty of the mayor to issue a license to the applicant upon his payment to the city collector of an annual license fee of one hundred dollars.

Report of Dealer. SECT. 1257. Every person, firm or corporation that is licensed to deal in the deadly weapons mentioned in section 1255, shall make out and deliver to the superintendent of police every day before the hour of twelve o'clock noon, a legible and correct report of every sale or gift

made under authority of said license during the preceding twenty-four hours, which report shall contain the date of such sale or gift, name, address and age of purchaser or donee, the number, kind, description and price of such weapon, the number of purchaser's permit, and the purpose given by such person for the purchase of such weapon, which report shall be substantially in the following form:

Number Permit .....
Number Weapon .....
Name of Purchaser .....
Address of Purchaser .....
Age of Purchaser.....
Kind or Description of Weapon.....
For What Purpose Purchased.....
Price .....

Revocation of License. SECT. 1258. In case the mayor shall be satisfied that such applicant has violated any provisions of this article, he may and shall revoke the license to such person, firm or corporation for the sale of such weapons, and the money paid for such license shall be forfeited to the city and no other such license shall issue to such licensee for a period of three years thereafter.

Unlawful to Sell Weapons Except to Licensed Dealers or to Persons Who Have a Permit to Purchase. SECT. 1259. It shall be unlawful for any person, firm or corporation to sell, barter or give away to any person within the city of Chicago, any pistol, revolver, derringer, bowie-knife, dirk or other weapon of like character which can be concealed on the person, except to licensed dealers and to persons who have secured a permit for the purchase of such articles from the superintendent of

police as hereinafter required; PROVIDED, this section shall not apply to sales made of such articles which are to be delivered or furnished outside the city of Chicago.

Permit to Purchase Required. SECT. 1260. It shall be unlawful for any person to purchase any pistol, revolver, derringer, bowie-knife, dirk or other weapon of like character, which can be concealed on the person, without first obtaining from the superintendent of police a permit so to do. Before any such permit is granted, an application in writing shall be made therefor, setting forth in such application the name, address, age, height, weight, complexion, nationality and other elements of identification, of the person desiring such permit, and the applicant shall present such evidence of good character as the superintendent of police in his discretion may require. It shall be the duty of the superintendent of police to refuse such permit to:

(a) All persons having been convicted of any crime;

(b) All minors.

Otherwise, in case he shall be satisfied that the applicant is of good moral character, it shall be the duty of the superintendent of police to grant such permit, upon the payment of a fee of $2.

Display Prohibited. SECT. 1261. It shall be unlawful for any person, firm or corporation to exhibit for sale in show cases, or show windows, on counters or in any other public manner, revolvers, pistols, daggers, stilettos, brass or iron knuckles, billies or other deadly weapons of like character or to display any signs, posters, cartoons or display cards, suggesting the sale of revolvers, pistols, dag-

gers, stilettos, brass or iron knuckles, billies or other deadly weapons of like character.

Penalty. SECT. 1262. Any person, firm or corporation violating any of the provisions of this article shall be fined not less than $50 nor more than $200 for each offense, and every purchase, sale or gift of any weapon mentioned in this article shall be deemed a separate offense.

Register. SECT. 1263. Every person, firm or corporation, dealing in deadly weapons of the kind mentioned in section 1255, at retail, shall keep a register of all such weapons sold, loaned, rented or given away by him, them or it. Such register shall contain the date of the sale, loaning, renting or gift, the number of the permit, the number of the weapon, the name and age of the person to whom the weapon is sold, loaned, rented or given, the price of such weapon, and the purpose for which it is purchased or obtained. The register shall be in the following form:

DATE OF SALE	NUMBER OF SUPT. OF POLICE PERMIT	NUMBER OF WEAPON	TO WHOM SOLD	AGE OF PURCHASER	KIND AND DESCRIPTION OF WEAPON	FOR WHAT PURPOSE PURCHASED	PRICE OF WEAPON

Such register shall be kept open for the inspection of the police at all reasonable times during business hours.

Penalty. SECT. 1264. Any person, firm or corporation violating or failing to comply with the provisions of this article, where no other or different penalty is imposed, shall be fined not less than $10, nor more than $200 for each offense.

TOY FIRE ARMS. *License Required.* SECT. 1265. It shall be unlawful for any person, firm or corporation to engage in the business of selling, or to sell or give away, to any person, within city, any air rifle, air gun, shotgun, rifle, fowling piece, toy gun, toy pistol or other toy firearm, or toy in the nature of a firearm in which any explosive substance can be used, without securing a license so to do as hereinafter provided and no person, firm or corporation having secured such license shall sell or give away any such weapon to any person within the city who has not secured a permit from the superintendent of police to purchase such weapon in the manner hereinafter provided: PROVIDED, that it shall not be necessary for any person, firm or corporation licensed to sell deadly weapons to take out an additional license for the sale of the articles mentioned herein.

Application. SECT. 1266. Any person, firm or corporation desiring a license authorizing the sale of any of the weapons or other articles mentioned in this article shall make application in writing which shall conform to the general provisions of the ordinance relating to application for licenses, and shall set out the location at which it is intended or desired to conduct such business. Annual fee $100.

Report of Sales. SECT. 1267. Every person, firm or corporation licensed to deal in the foregoing weapons and other articles described in this article shall comply same as in section 1257.

Revocation of License. SECT. 1268. In case the mayor shall be satisfied that such applicant has violated or failed to comply with the provisions of this article, he may revoke the license of such person, etc., and the money paid for such license to be

forfeited to the city, and no other license shall be issued to such licensee for a period of three years thereafter.

Permit to Purchase. SECT. 1269. (Same as section 1260.)

Refusal of Permit. SECT. 1270. (Same as section 1260, except fee is $1.)

Display Prohibited. SECT. 1271. Unlawful to exhibit any air rifle, etc., same as in section 1261.

Penalty. SECT. 1272. Any person, firm or corporation, violating or failing to comply with the provisions of this article shall be fined not less than $10, nor more than $100, for each offense, and every purchase, sale or gift of any weapon mentioned in this article shall be deemed a separate offense.

DEALERS—SECOND HAND. *Record of Purchases.* SECT. 3497. Every person, firm or corporation keeping, etc., a second hand store shall keep a book in which there shall be made, at the time of the transaction, a record in English, of every purchase, sale or exchange made by him in and about the said business, setting forth the following: name, age, sex, race, residence and general description of the individual with whom the transaction is had; the price or consideration paid or received; the precise time of the transaction; and a full and complete description of every article purchased, sold or exchanged, giving all numbers, marks, monograms, trademarks and manufacturers' names and other marks of identification appearing on the same, including, as to automobiles and motor-driven vehicles, the make, manufacturer's name,

style, model, seating or other capacity, state license number, manufacturers' number, body number, motor number, generator number, starter number, carburetor number, magneto number, storage battery number, transmission number, radiator number, speedometer number, tire numbers, and any and all other manufacturer's or serial numbers or marks of identification appearing thereon, and including, as to automobile bodies, chassis, engines, motors, tires, parts, supplies and accessories bought, sold or exchanged separately, such of said items of description and numbers as are applicable thereto, respectively.

Report to Superintendent of Police. SECT. 3498. There shall be made out and delivered to the superintendent of police every day before the hour of twelve o'clock noon, a copy of the records required to be kept under section 3497, of the goods, articles or things, purchased, sold or exchanged, on the preceding day, or if that day be Sunday, on the two preceding days.

Record—Inspection. SECT. 3499. The said book, and all goods, articles or things purchased, received or kept for sale or exchange, in the store of every licensed person aforesaid, shall at all reasonable times be open to the inspection of the mayor, aldermen and any member of the police force, or any person duly authorized in writing, for such purpose by the superintendent of police.

Prohibited Purchases. SECT. 3500. Not to buy any automobile, etc., from which the state license number or any number mentioned in section 3497 has been removed and shall not himself remove any such numbers, or sell or deal in any automobiles,

motor-driven vehicles, automobile tires, accessories or parts from which the numbers have been removed.

Penalty. SECT. 3502. Not less than $25, nor more than $100 for any violation or refusal to comply with the provision of this article.

DISORDERLY CONDUCT. SECT. 2655. All persons who shall make, aid, countenance or assist in making any improper noise, riot, disturbance, breach of the peace or diversion tending to a breach of the peace; all persons who shall collect in bodies of crowds for unlawful purposes, or for any purpose, to the annoyance or disturbance of other persons; all persons who are idle and dissolute and go about begging; all persons who are found in houses of ill-fame or gaming houses; all persons lodging in or found at any time in out-houses, sheds, barns, stables or unoccupied buildings, or underneath sidewalks, or lodging in the open air and not giving a good account of themselves; all persons who shall willfully assault another, or be engaged in or aid or abet in any fight, quarrel or other disturbance; all persons found loitering about in any hotel, block, barroom, dramshop, gambling house or disorderly house, or wandering about the streets either by night or day without any known lawful means of support, or without being able to give a satisfactory account of himself; all persons who shall have or carry any pistol, knife, dirk, knuckles, slung-shot or other dangerous weapon concealed on or about their persons; and all persons who are known to be thieves, burglars, pickpockets, robbers or confidence men, either by their own confession or otherwise, or by having been convicted of larceny, burglary or other crime against the laws of the State, who are

found lounging in or prowling or loitering around any steamboat landing, railroad depot, banking institution, place of public amusement, auction room, hotel, store, shop, thoroughfare, car, omnibus, public conveyance, etc., house of ill-fame, gambling house, or any public place and who are unable to give a reasonable excuse for being so found; shall be deemed guilty of disorderly conduct, and upon conviction thereof, shall be severally subject to a fine of not less than $1, nor more than $200, for each offense.

DOGS. *License.* SECT. 1048. Every person owning dog to obtain license, giving name and address, and name, breed, color and sex of dog. License fee $3. Penalty for violation, $2 to $25.

Muzzling. SECT. 1051. Any person owning dog shall not allow him to run at large on any street, alley, etc., or in any public hall, office, store, etc., during time place is open for public business, or in hallway of building occupied by two or more families, without having dog securely muzzled to prevent its biting any person or animal. Penalty for violation not less than $2 nor more than $200.

Fierce Dogs at Large. SECT. 1058. Any dangerous, fierce or vicious dogs found at large on the streets or public ways of the city, or in any public hall, office, store, etc., during the time such place is open for business or upon the private grounds of any other person than the owner or keeper of such dog and shall there annoy or endanger any person, the owner or keeper of such dog shall be fined not less than $2, nor more than $200.

Mad Dogs Biting Other Dogs. SECT. 1061. Any dog suffering from rabies or any dog bitten by a dog suffering from rabies is a nuisance and such

dog may be slain by any policeman. It shall be the duty of person owning such dog to surrender said dog to any policeman upon demand. Any person refusing or failing to surrender such dog shall be fined not less than $2, nor more than $200.

Bitches in Heat Running at Large. SECT. 1062. Any person at whose house or premises, store, etc., any bitch is usually found or permitted to remain, or any person owning any bitch who shall permit such bitch to run at large, while she is in heat, in any street or public place, whether she have the license or muzzle required in this chapter on her or not is hereby deemed a nuisance and shall be taken up and impounded, but if such dog cannot be safely taken up and impounded such dog may be slain by any policeman. Penalty for violation of this section, $2 and not more than $200.

ESTRAYS. SECT. 1142. *Impounding.* It shall be the duty of every police officer to take any estray which he discovers to a livery stable in the locality where such estray is found and impound it with the keeper thereof.

Report. SECT. 1143. Duty of police officer to make report in writing to superintendent within twenty-four hours describing estray and the name and address of livery and the location where such estray was found.

FIRE ARMS. *See Deadly Weapons.*

FIREARMS, FIREWORKS. *Prohibition.* SECT. 1226. No person shall fire or discharge any gun, pistol or other firearms within the city, except upon premises used by a duly licensed shooting gallery, gun club or rifle club, under a penalty of not less than $5 nor more than $25 for each offense.

Firearms—Minors. SECT. 1227. No person shall sell, loan or furnish to any minor any gun, pistol or other firearm, or any toy gun, toy pistol or other toy firearm, in which any explosive substance can be used, within the city, under a penalty of not more than $100 for each offense; provided, that minors may be permitted, with consent of their parents or guardians, to use firearms on the premises of a duly licensed shooting gallery, gun club or rifle club.

Discharge in Alleys, Back Yards and Near Hospitals. SECT. 1228. No person shall fire, discharge, or set off, under any circumstances, or at any time, any firearms, fireworks or other explosives in any alley or back yard, or within two blocks of any hospital, under a penalty of not more than $50 for each offense.

Fireworks—Toy Guns, etc., Prohibited. SECT. 1229. No person shall at any time discharge or set off anywhere within the city of Chicago, or have in his or her possession for such purpose, any toy pistol, toy gun, bombs, rockets, spinwheels, fire balloons, roman candles, detonating canes or ammunition therefor, or any substances or articles of an explosive nature designed or intended to be used as fireworks; provided, however, that the mayor may permit or order the public display of fireworks by permit in writing by him as hereinafted provided; and, provided, further, that pyrotechnic displays of fireworks may be given at any time in licensed amusement parks under the supervision of the licensee and at least one representative of the police department. Penalty for violation not less than $5 nor more than $200 for each offense.

Torpedoes on Car Tracks. SECT. 1235. No person, other than a duly authorized railway employe, shall place upon the tracks of any street railway or upon the rail of any steam railway within the city, under any circumstances, or at any time, any torpedo, bomb or other thing containing any substance of an explosive nature. Penalty not less than $10 nor more than $50.

FLYING KITES. *See Sidewalks.*

FIRE HYDRANTS. *See Parking Restrictions.*

GAMBLING. *(See Billiard Rooms.) Places Kept for Gambling.* SECT. 1566. Every house, room, yard, boat, vessel or other structure or premises kept or used for the purpose of permitting persons to gamble for any valuable thing within the city is hereby declared to be a common nuisance. Every person who owns, keeps, maintains, manages or conducts, or who is interested in owning, keeping, maintaining, managing, or conducting any such place shall be fined not less than $25, nor more than $200 for each offense.

Gambling Prohibited. SECT. 1567. No person shall deal, play or engage in faro, roulette, or gambling for money or other valuable thing, or in any other device or game of chance, hazard, or skill, either as bookmaker, dealer, keeper, player, or otherwise, for the purpose of gaming or gambling for money or other valuable thing, under a penalty of not exceeding $200 for each offense.

Duty of Police. SECT. 1568. It shall be the duty of all members of the department of police to give information to the mayor of every house, room, yard, boat, vessel, or other structure or premises

within the city where any such game or device or policy shop tickets or lists are or may be set up, kept, or maintained; and such members of the department of police shall take all lawful means to suppress and prevent the playing at or use of any faro table, roulette wheel, or the playing of any game or the use of any device hereinbefore mentioned; and for this purpose when and as often as any such member of the department of police shall have reasonable cause to suspect that any such table, wheel, game, or device is set up, kept or maintained, anywhere within the city, he shall forthwith make complaint thereof before some judge of the municipal court and obtain a warrant authorizing him to enter such house, room, yard, boat, vessel, or other structure, place or premises, or any part of the same; and such member of the department of police shall thereupon have the authority to demand entry thereto; and any person who shall refuse or fail to open the door or entrance thereto or who shall obstruct or do anything tending to obstruct or prevent the entry of such member of police to any such house, room, yard, boat, vessel, or other structure, place, or premises, or any part thereof, when such member of the department of police shall have a warrant, shall be fined not less than $25, nor more than $200 for each offense.

Possession of Gambling Device. SECT. 1569. No person shall bring into the city or have in his possession within the city, for the purpose of gaming or gambling for money or other valuable thing, any table, wheel or other device of any kind or character whatsoever whereon or with which money or other valuable thing may in any manner be played or gambled for. Any person violating any of the pro-

visions of this section shall be fined not less than $25 nor more than $200 for each offense.

Visitor—Keeper—Runner. SECT. 1571. Every person who shall patronize, visit, frequent, or be connected with the management or operation, or who shall act as the doorkeeper, solicitor, runner, agent, abettor, or pimp of any house, room, yard, boat, vessel, or other structure, place, or premises kept within the city for the purpose of permitting persons to game or gamble for any valuable thing, shall be fined not less than $25, nor more than $200, for each offense.

Seizure of Implements. SECT. 1572. It is hereby made the duty of every member of the department of police to seize any table, wheel, instruments, device, or thing used for the purpose of gaming or gambling for money or other valuable thing; and all such tables, instruments, devices, or things when seized shall be destroyed. Any person obstructing or resisting any member of the police department in the performance of any act authorized in this section shall be fined not less than $25, nor more than $50 for each offense.

Tape and Slot Machine. SECT. 1573. No person shall keep, own, operate, use, or cause to be kept, operated or used, in any room, inn, tavern, shed, booth, building, inclosure, or upon any premises or any part thereof, any clock, "Joker," tape or slot machine or other device of any kind or nature whatsoever, upon, in or by or through which money is staked or hazarded or into which money is paid or played upon chance or upon the result of the action of such clock, "Joker," tape, or slot machine or other device, money or other valuable thing is staked, bet, hazarded, won or lost. Any person

violating any of the provisions of this section shall be fined not less than $25, nor more than $200, for each offense, and each and every day on which any person shall operate, keep, own or have in his charge, possession or control any such clock, "Joker," tape or slot machine, or other device in violation of the provisions of this section, shall be deemed a separate and distinct offense.

Lotteries and Policy Games. SECT. 1574. No person shall keep, occupy or use, or permit to be kept, occupied or used, a place, building, room, establishment, table or apparatus for policy playing or for the purchase, sale, exchange or redemption of what are commonly called lottery tickets, or policy tickets. No person except a public officer to have in his possession any writing, paper, etc., of any kind such as is commonly used in carrying on, etc., the game commonly called policy. No person to offer for sale any paper, ticket, order, etc., of any kind representing shares in any lottery, etc. No person to promote, "back," etc., any lottery, policy, etc. No person as owner, lessor, lessee, agent, etc., of any building, etc., to permit policy playing, or the barter, sale, etc., of lottery tickets, etc., in such building. No person to frequent, patronize or be found in such place used for policy playing or the drawing of lottery tickets, etc. No person shall aid, assist or abet in any manner, or be a party to any of the offenses, acts or matters hereinbefore specified.

Penalty. SECT. 1575. Every person violating any of the provisions of the preceding section shall upon conviction thereof be subject to a fine of not less than $25 nor more than $200.

Betting Prohibited. SECT. 1576. All betting, wagering, speculating, pool-selling, or book-making upon any horse race or races or the result thereof, and all gambling and every game of chance of any nature whatsoever, within or upon any and all race tracks and race courses, or in any building or buildings within any race track or race course within the city is hereby prohibited.

Penalty. SECT. 1577. Any person found violating any of the provisions of the preceding section shall be fined not less than $100, nor more than $200 for each offense.

Owner or Occupant Where Pools, Etc., Are Sold to Be Fined. SECT. 1578. Any person or corporation who keeps, occupies or controls any room, shed, tenement, tent, booth, building or other structure, or any part thereof, or who occupies any place anywhere within the city, with any book, instrument or device for the purpose of taking, recording or registering bets, or wagers, or of selling pools, or any person who takes, records or registers, bets or wagers; or sells pools, upon the result or alleged result of any actual, supposed, alleged or fictitious trial or test of skill, speed or power of endurance of man or beast, or upon the result or alleged result of any actual, supposed, alleged or fictitious political nominationn, appointment or election, or who being the owner, lessee or occupant of any room, shed, tenement, tent, booth or building or other structure or part thereof, knowingly permits the same to be used or occupied for any such purpose or therein keeps, exhibits or employs, any device or apparatus for the purpose of taking, recording or registering such bets or wagers, or selling such pools, or becomes the custodian or depositary for

hire or reward of any money, property or thing of value, staked, wagered or pledged upon any such result or alleged result, shall be fined not less than $50, nor more than $200, for each offense.

In prosecutions under this section proof of the taking, recording or registering of such bet or wager, or pool-selling, as is herein prohibited, shall be prima facie evidence of the violation of this section, and proof shall not be required that there was any actual, supposed, alleged or fictitious trial or test of speed, or power of endurance of man or beast, or that there was any actual, supposed, alleged or fictitious political nomination, appointment, or election, to which such bet, wager or pool-selling may appertain.

Advertising of Bets Unlawful. SECT. 1579. No person to insert, print or publish any notice, advertisement, etc., giving information as to where or with whom bets or wagers may be made or placed, or where or by whom pools are sold, upon the result of any trial or test of speed, skill, etc., of man or beast, or upon the result of any political nomination, etc., under a penalty of not less than $50, nor more than $200 for each offense.

GARAGES. *See Smoking.*

GARAGES. SECT. 253. It is the duty of each public garage in the city to keep for public inspection a record of the license numbers and engine numbers of all motor vehicles taken in or held in charge by said garage for the purpose of selling, rental, liverage, storage or repair.

Register. SECT. 255. It shall be the duty of the owner or operator of any public garage to provide a register in book form, in which the owner or

driver of any transient car to be stored in such public garage shall enter legibly in writing, in the English language, at the time any such motor vehicle is brought therein for storage, the date so delivered, the owner's name and address, the chauffeur's or driver's name and address, the trade or other name of the motor vehicle, its type, color, engine number, serial number, state license number, and city license number, together with such other distinguishing marks as the owner or operator of such garage may deem necessary in order to fu'ly identify such vehicle. When such vehicle is taken out it shall be the duty of such owner or operator of garage to note the date when the same is taken out.

Notice to Police. SECT. 256. Duty of owner or operator of any such garage to at once notify the nearest police station, immediately upon the discovery by such owner or operator, or any employe thereof, of any alteration or obliteration of any engine number on any motor vehicle stored in such public garage, and to ho'd such motor vehicle for a period of at least twenty-four hours or until complete investigation of all facts surrounding such alteration or obliteration shall have been made by the police department. If resistance is made notice shall at once be given to the police department or to any officer within call.

Inspection. SECT. 257. The garage register of any such public garage shall, at all times, be open to the inspection and investigation of all members of the police department.

Penalty. SECT. 258. Any person, firm or corporation owning or operating such public garage, or any employe thereof, that shall violate, neglect

or refuse to comply with any of the provisions of this article shall be fined not less than $25, nor more than $200 for each offense.

Revocation of License. SECT. 259. License may be revoked for any violation in addition to above penalty.

HAND BILLS. *Literature Containing Information Concerning Nature of and Remedies for Certain Diseases.* SECT. 2671. No person shall sell or offer to sell, give away or offer to give away, distribute in or upon any street or sidewalk, or park or public place of the city, any book, pamphlet, circular, handbill, advertisement or notice of any kind purporting to treat of or treating of diseases known as "venereal diseases," describing or explaining or purporting to describe or explain, the genital organs, giving or purporting to give the nature and remedies of diseases peculiar to females, uterine diseases, or the nature or cause of nervous debility, impotency, sterility or barrenness, gonorrhea, gleet, stricture, syphilis, affection of the prostate gland, or the remedies therefor or the cause or remedies for abortion or miscarriage, or articles or means of preventing conception, under a penalty of not less than $20, nor more than $50 for each offense.

Literature Containing Information from Whom or Where Medicine to Cure or Prevent Certain Diseases May Be Obtained. SECT. 2672. No person shall sell, etc., any book, etc., giving or purporting to give information from whom or where medicine or anything whatever may be obtained for the cure, prevention or treatment of uterine diseases, or diseases peculiar to females, etc. Any person, firm or

corporation violating any of the provisions of this section shall be fined not less than $25, nor more than $200, for each offense.

Advertisements Giving Information Concerning Certain Diseases or Conditions Prohibited. SECT. 2673. It shall be unlawful for any person to advertise, print or publish, or cause to be advertised, printed or published, in any newspaper or other publication having a general circulation in the city, or which is sold or offered for sale within the city, any advertisement, notice or mention of any kind whatsoever giving or purporting to give any information of, from whom, or where, apparatus, medicine, remedies or alleged cures may be had or obtained for the cure, prevention or treatment of uterine diseases, or of diseases peculiar to females, or of venereal diseases, or of diseases of the genital organs, etc., or from whom, or where may be obtained any advice, information, direction or knowledge of any drug, medicine, mixture, preparation, instrument, apparatus or means of any kind whatever for the purpose of causing or procuring a miscarriage by any woman pregnant with child, or for the purpose of causing or producing an abortion, or for the purpose of preventing conception. Any person violating any of the provisions of this section shall be fined not less than $25, nor more than $200, for each offense.

Advertising Quack Nostrums. SECT. 2674. No person shall place or post, or cause to be placed or posted, in any street or other public place in the city any handbill or advertisement giving notice of any person having or professing to have skill in the treatment or curing of disorder or disease, or giv-

ing notice of the sale or exposure for sale of any nostrum or medicine, under a penalty of not more than $25 for each offense.

HATPINS. *Point Exposed.* SECT. 2702. No person while on the public streets or ways of the city, nor while riding upon any street or elevated railroad car running from place to place within the city, nor in any elevator operated in any building in the city to which the public is admitted, shall wear any hatpin the point of which shall protude more than one-half inch beyond the crown of the hat in, upon or through which such pin is worn. Penalty not exceeding $50, for each offense.

HOUSES TO BE NUMBERED. SECT. 3687. It is the duty of the owner, agent or person in possession of every building in the city of Chicago to number it in the manner provided.

Failure to Comply. SECT. 3694. Any person being the owner, agent or person in possession of any building now erected in the city, who shall for thirty days neglect or refuse to number any building owned or occupied by him, shall be fined $5, and a further penalty of $5 for every thirty (30) days thereafter that he shall neglect or refuse so to number such building.

Any owner or occupant of any building hereafter erected in the city who shall fail to comply with this ordinance to be fined $5 and a further penalty of $5 for every (30) thirty days thereafter that such building shall be without its number.

HYDRANTS. *Obstruction.* SECT. 1210. No person shall in any manner obstruct the use of any

fire hydrant, or place any material in front thereof or within five feet from either side thereof, under a penalty of ten dollars for each offense.

Hydrants—Fire. *(See Parking Restrictions.)*

IMMORAL ACTS.

Houses of Ill-Fame or Assignation. Keeping House of Ill-Fame or Assignation. SECT. 2656. No person shall keep or maintain a house of ill-fame or assignation or place for the practice of fornication or prostitution or lewdness, under a penalty of not to exceed $200 for every twenty-four (24) hours such house or place is kept or maintained for such purpose.

Patrons or Inmates of. SECT. 2657. No person shall patronize, frequent, be found in, or be an inmate of any house of ill-fame or assignation, or place for the practice of prostitution or lewdness, under a penalty of not exceeding $200 for each offense.

Leasing Premises. SECT. 2659. Any person leasing to another any house, room or other premises, in whole or in part, for any of the uses or purposes set forth in section 2656, or knowingly permitting the same to be used or occupied for such purposes, shall be fined not exceeding $200.

Ill-Governed or Disorderly Houses. Public Nuisance. SECT. 2660. Every common, ill-governed or disorderly house, room or other premises, kept for the encouragement of idleness, gaming, drinking, fornication or other misbehavior, is hereby declared to be a public nuisance, and the keeper and all persons connected with the maintenance thereof, and all persons patronizing or frequenting the same, shall be fined not exceeding $200 for each offense.

Night Walkers. Soliciting on Streets. SECT. 2661. All prostitutes, solicitors to prostitution, and all persons of evil fame or report, plying their vocations upon the streets, alleys or public places in the city, are hereby declared to be common nuisances, and shall be fined not to exceed $100 for each offense.

Immoral Acts in Vehicles. No Person to Let Vehicle for Purposes of Lewdness, etc. SECT. 2662. No person, firm or corporation, either as owner, manager, officer, agent or employe shall knowingly receive any person for purposes of lewdness, assignation or prostitution, into or upon any vehicle, conveyance, or other means of transportation whatsoever; or permit any person to remain for purposes of assignation, or prostitution in or upon any vehicle, conveyance, or other means of transportation whatsoever.

Directing Persons to House of Ill-Fame. SECT. 2663. Directing, taking or transporting, or offering to transport, take or direct, any person for immoral purposes, to any other person, or assisting any person by any means whatsoever for such purposes to seek or to find any prostitute or other person engaged in immoral practices, or any brothel, bawdy house or any other place of ill-fame whatsoever, with knowledge or reasonable cause to know of the character of the person, house or place, is hereby prohibited.

Penalty. SECT. 2664. Any person, firm or corporation, either as owner, manager, officer, agent or employe, that shall violate the provisions of this section shall be punished by a fine of not less than $50, nor more than $200, for each offense. And in addition thereto, the license of any such person,

firm or corporation or employes thereof directly involved may be revoked, and the permit of the vehicle used may be canceled in the discretion of the mayor, and no license or permit so revoked or canceled hereunder shall be reinstated until the lapse of a period of one year after such revocation or cancellation.

Gathering for Inimoral Purposes. Assembling with Prostitutes—Loitering. SECT. 2665. It shall be unlawful for any habitual drunkard, or any person known to be a prostitute, or one who aid or abets prostitution, or for any person previously convicted of a felony or prostitution or aiding and abbetting prostitution, to assemble or congregate with other persons of any of the foregoing classes in or upon the public streets or other public places in the city, or to loaf or loiter in or about or frequent the premises of any place where intoxicating liquors are sold. Any person violating the provisions of this section shall, upon conviction thereof be subject to a fine of not less than $5 nor more than $200.

Indecent Exposure. Wearing Clothes of Opposite Sex. SECT. 2666. If any person shall appear in a public place in a state of nudity, or in a dress not belonging to his or her sex, or an indecent or lewd dress, or shall make any indecent exposure of his or her person, or be guilty of any lewd or indecent act or behavior, he or she shall be subject to a fine of not less than $20, nor more than $100, for each offense.

INDECENT, LEWD AND FILTHY ACTS.

Indecent Acts, Suggestive Singing, Abusive Language. SECT. 2667. Any person who shall commit any indecent, lewd or filthy act in any place in the

city, or shall utter any lewd or filthy words, or shall sing any songs the words of which are suggestive of indecency or immorality, or use any threatening or abusive language in the hearing of other persons publicly, or shall make any obscene gesture to or about any other persons publicly, shall be deemed a disorderly person and shall be fined not less than $5, nor more than $100 for each offense.

INDECENT LITERATURE — IMMORAL EXHIBITORS. *Indecent or Lewd Books, Pictures, Plays, etc.* SECT. 2668. It shall be unlawful for any person to exhibit, sell, or circulate or distribute, any indecent or lewd book, picture or other thing whatever of an immoral nature or scandalous nature, or to exhibit, in any place where the same can be seen from the public highway, or in a public place frequented by children which is not connected with any art or educational exhibition, any picture representing a person in a nude state, or to exhibit or perform any indecent, immoral or lewd play or other representation under a penalty of not less than $20, nor more than $100 for each offense.

Sale of Literature Represented as Immoral. SECT. 2669. It shall be unlawful for any person, firm or corporation to sell, or to offer or to exhibit for sale, in sealed form, or in any form which indicates that the sale thereof is surreptitious or contrary to law, any book, pamphlet or literature of any kind bearing the title of some well-known book of salacious character, or bearing the title of a book of which the sale is prohibited, or bearing the title of a book of which the contents are actually lewd, lascivious, obscene, immoral or indecent; and it shall likewise be unlawful to sell, or to offer or ex-

hibit for sale, any book, pamphlet or literature of any kind having anything about it which indicates that the contents of same are of an obscene, immoral, lewd, lascivious or indecent character, or to sell, or to offer or exhibit for sale, any book, pamphlet or literature of any kind under the guise or pretense that the same is obscene, immoral, lewd, lascivious or indecent, or in a manner that indicates concealment of anything as contrary to law or immoral contained therein, or to use any pretense, trick, fraud, artifice or device to convey the impression that such book, pamphlet or literature is lewd, lascivious, indecent, obscene or immoral, whether such pretense, trick, fraud, artifice or devise is a misrepresentation in regard to the contents of same or not.

Penalty. SECT. 2670. Not less than $25, nor more than $200.

IMMORAL ACTS. *See Bill Posting. Hand Bills.*

JUNK DEALERS. *Other Licenses Not to Be Issued to Junk Dealers.* SECT. 3519. No junk dealer shall receive or hold any license to carry on the business of a pawnbroker. Any person, firm or corporation violating any of the provisions of this section shall be fined not less than $10, nor more than $200 for each offense.

Not to Act as Pawnbroker. SECT. 3520. No junk dealer shall receive any article or thing by way of pledge or pawn; nor shall such dealer loan or advance any sum of money on the security of any article or thing. Penalty for violation not less than $10 nor more than $200.

Inspection of Retail Places of Business. SECT. 3522. The place of business and all junk of every junk dealer who shall be licensed to do a retail business only shall at all reasonable times, be open to the inspection of any member of the department of police. Any person or corporation that shall refuse access thereto or shall otherwise violate any of the provisions of this section shall be fined not less than $10, nor more than $200 for each offense.

Inspection of Wholesale Places of Business. SECT. 3523. Whenever there shall be filed with the superintendent of police, by the owner or agent of the owner, a sworn statement that such owner or such agent has reason to believe that certain stolen goods or things specifically described in said sworn statement are in the possession of any wholesale junk dealer, any member of the police department shall have the right to inspect the premises of the said junk dealer at any reasonable hour and view all junk which has been purchased, received, collected or stored in the premises occupied by such business.

Penalty. SECT. 3524. Every junk dealer who shall fail or refuse to comply with any of the foregoing provisions in respect to his or its business, where no other penalty is provided, shall be fined not less than $10, nor more than $200 for each offense.

Definition. SECT. 3525. The term "fence" as used in this article shall mean and include any place for the purchase, reception or keeping of stolen goods.

Penalty. SECT. 3526. Any person or corporation who shall keep, maintain or conduct a place for the purchase, reception or keeping of stolen

goods, in this article defined as "fence" shall be fined not less than $10, nor more than $200, for each offense. Each day such place for the reception, purchase or keeping of stolen goods is kept, maintained or conducted shall constitute and be deemed as a distinct and separate offense.

Purchase from Minors Prohibited. SECT. 3528 No junk dealer shall purchase any articles whatsoever from any minor or minors without the written consent of his or their parents or guardians under a penalty of not less than $1, nor more than $50 for each offense.

Hours of Business. SECT.. 3529. No. junk dealer shall receive in the conduct of his or its business, any goods, article or thing whatsoever from any person, between the hours of 7 p. m. and 6 a. m. under a penalty of not less than $10, nor more than $200 for each offense.

Articles Purchased Not to Be Sold Immediately. SECT. 3530. No retail junk dealer shall expose for sale, or sell or dispose of any goods, article, junk or thing whatsoever within two days of the time of collecting, receiving or purchasing the same, nor until the same shall have been in the premises wherein the same are offered, exposed or sold at least two days, under penalty of not less than $10, nor more than $200 for each offense.

Dealer to Expose Lost Goods. SECT. 3531. Every retail junk dealer who shall receive or be in possession of any goods, articles or things or junk which may have been lost or stolen, or alleged or supposed to have been lost or stolen shall forthwith, on demand, exhibit the same to any member of the

department of police or to any alderman under a penalty of not more than $200 for every neglect or refusal so to do.

LAMP POSTS AND LAMPS. *Injury to Lamp.* SECT. 1655. Any person breaking, mutilating, or obstructing any of the public lamps in the city or any street-signs attached thereto, shall be fined not more than $10 for each offense.

Removal of Lamp Posts. SECT. 1656. No person, without permission of the commissioner of gas and electricity, shall take up, remove or carry away any public lamp post in the city, under a penalty of not more than $50 for each offense.

Hitching to or Obstructing Lamp Posts. SECT. 1657. Any person who shall carelessly or maliciously break, deface or in any way injure or destroy any public lamp or lamp post in this city, or climb upon, or hitch any horse or other animal to any public lamp post, or hang or place any goods or merchandise thereon, or place any goods, boxes, wood or any other heavy material upon or against the same, shall be fined not more than $10 for each offense.

LICENSE. *Not to Be Altered.* SECT. 2432. No person shall add to, alter, forge, or counterfeit any license, license tag or license plate which has been or is being issued by the city of Chicago.

Not to Be Carried Away. SECT. 2433. No person shall take, remove or carry away without the consent of the owner, any license, license tag or license plate which has been issued by the city of Chicago. Penalty for violation of either section 2432 or 2433 not less than $5, nor more than $200 for each offense.

STEALING, DETACHING, OR MUTILATING METAL PLATES, LICENSES, ETC. SECT. 2741. Every person, who shall, without the consent of the owner or licensee, take, carry away, detach or mutilate any metal plate, tag, badge or license worn by or attached to any person, animal or vehicle or attached to any article, substance or thing whatsoever, as a mark of identification or otherwise in compliance with the requirements of any ordinance of the city of Chicago, shall be punished by a fine of not less than $25, nor more than $200.

MANURE. *See Ashes.*

MEDICINES. *Distributing Sample Packages of.* SECT. 1127. No person shall be permitted to give away, deposit or otherwise distribute any sample package, parcel, box or other quantity of any nostrum, proprietary medicine or other material of an alleged medicinal character or purporting to be a curative agency, by means of depositing or leaving same in any hallway, private area or yard, or on the doorstep or in any place in any street, alley, or public ground in the city. Any person violating any of the provisions of this section shall be fined not less than $5, nor more than $50, for each offense.

MINORS. *See Billiard Rooms, Children, Cigarettes, Junk Shop, Pawnbrokers, Tobacco.*

MOTOR VEHICLES. *To Be Provided With Suitable Bells, Horns or Signal Device.* SECT. 4001. Every motor vehicle or motorcycle while being used upon the streets, alleys or public places of this city shall be provided with a suitable, bell, horn or other

signal device. Un'awful for any person to use device which will not produce sound sufficiently loud to serve as warning of danger; unlawful for any person operating motor vehicle to make any unnecessary noise with such bell, horn or device, or to use the same except as a warning of danger.

Penalty. SECT. 4004. Violators shall be fined not less than $5, nor more than $100, for each offense; and a separate offense shall be considered as committed every day any motor vehicle or motorcycle is used upon the streets or alleys of the city in violation of the above section.

Accidents. SECT. 4012. Same as section 2627 regarding accidents; penalty same as section 2627. Driver to report accident to nearest police station or to headquarters of police in city hall, same as section 2627.

White and Red Lights to Be Displayed. SECT. 4016. All horse-drawn vehicles, motor bicycles, motor vehicles to carry and display white lights in front showing at least two hundred feet in the direction in which vehicle is going, and one red light in rear plainly visible; no vehicle to maintain any light other than a white light or lights visible in direction in which vehicle is going or no light other than a red light visible in reverse direction; such lights to be in use from sunset to one hour before sunrise. Penalty for violation not less than $5, nor more than $50 for each offense and each day such motor vehicle or horse-drawn vehicle is used upon streets in violation of this section will be separate offense. *See also Public Vehicles. Parking Restrictions. Traffic Regulations.*

NIGHT WALKERS. *See Immoral Acts.*

NOISE. *See Calling of Wares. Hand Organs. Motor Vehicles.*

NOXIOUS MATTER. *See Ashes.*

OBSTRUCTIONS. *See Streets.*

OFFAL. *See Ashes.*

PARKING RESTRICTIONS. *Parking in Front of Theaters and Hotels.* SECT. 3853. No person, firm or corporation owning, controlling, driving or operating any vehicle propelled either by animal or other power shall cause or permit any such vehicle to stand or park longer than to load or unload passengers who are ready to enter or depart therefrom, between the hours of 1:30 P.M. and 5 P.M., and 8 P.M. and 11 P.M., within a space of fifty feet immediately in front of the entrance of any theater or hotel.

Signs Prohibiting Parking. SECT. 3854. It is the duty of commissioner of public works to cause suitable signs to be placed, and maintain same, at all places where no parking of vehicles should be allowed. Such signs to contain the words "No Parking" and to be visible fifty feet. The superintendent of police, in his discretion may designate such places as he deems proper as places where no parking shall be allowed, in addition to those designated by orders of the city council.

Vehicles on Certain Streets Upon Which Street Cars Are Operated. SECT. 3855. No person, etc., shall cause or permit any vehicle to stand on any street upon which street cars are operated within the boundary of the north line of Lake street, the east line of Wabash avenue, the south line of Van

Buren street and the west line of Market street during the hours from 7 o'clock a.m. to 10 o'clock a.m., and from 4 o'clock p.m. to 7 o'clock p.m., except on Sundays and legal holidays, for a longer period at any one time than will be necessary for such vehicle to load or unload its occupants, baggage or merchandise; this section not to apply to duly licensed taxicabs when standing at cab stand fixed by ordinance.

Vehicle Standing on Street. SECT. 3856. No person, owning, etc., any vehicle, shall cause or permit same to stand continuously in one place in any public street or alley in city, upon which street cars are operated, within the district bounded by the north line of Lake street, the east line of Wabash avenue, the south line of Harrison street and the west line of Market street between the hours of 10 o'clock a.m. and 4 o'clock p.m., except on Sunday and legal holidays, for a longer period than thirty minutes; nor on streets within said district on which no street cars are operated between the hours of 7 o'clock a.m. and 7 o'clock p.m. for a longer period than thirty minutes; provided, this section not to apply to taxicabs at cab stands fixed by ordinance.

Penalty. SECT. 3857. Any person violating either of the two foregoing sections to be fined not less than $5 nor more than $100 for each offense.

Parking Not Permitted Near Fire Hydrant. SECT. 3858. No person, firm or corporation, owning or controlling, or operating any vehicle drawn or propelled by animal or other power shall permit such vehicle to stand along any curb within fifteen feet of any water hydrant which is used or may be used by the fire department of this city for the purpose of extinguishing fires.

PAWNBROKERS. *License. Application.* SECT. 2904. No person, firm or corporation, shall engage in, carry on or conduct the business of a pawnbroker within the city without a license. Application for same to be made in writing.

License Fee. SECT. 2905. Every person, etc., to whom such license is issued shall pay to the city collector the sum of six hundred ($600) dollars per annum, payable semi-annually on the first day of *July* and the first day of *January* of each year.

Charging More Than Three Per Cent Per Month Prohibited. SECT. 2906. Unlawful for any pawnbroker to charge more than three per cent per month.

Ordinance Posted. SECT. 2907. Every pawnbroker shall at all times have and keep section 2906 of this ordinance printed in the English language, framed and posted in a prominent and conspicuous position in his place of business, so that said section of this ordinance shall be plainly legible and visible to all persons depositing or pledging property with such pawnbrokers.

Bond. SECT. 2908. Every person, etc., so licensed shall execute a bond to the city in the sum of $1000, with good and sufficient sureties, conditioned for the due observance of the ordinances respecting pawnbrokers, etc.

Record of Loans and Pledges. SECT. 2910. Every pawnbroker and loanbroker or keeper of a loan office shall keep a book in which shall be fairly written in ink at the time of each loan an accurate account and description in the English language of the goods, articles or things pawned or pledged, the amount of money loaned thereon, the time of pledging the same, the rate of interest to be paid on such

loan, and the name and residence of the person pawning or pledging the same goods, article or thing. No such entry made in such book, shall be erased, obliterated or defaced.

Memorandum to Pledger. SECT. 2911. Every pawnbroker, etc., to deliver, at the time of making loan, a memorandum or note signed by him containing the substance of the entry required to be made in his book by the preceding section; and no charge shall be made or received by any pawnbroker or loanbroker or keeper of a loan office for any such entry, memorandum or note.

Inspection of Records. SECT. 2913. The said book, as well as every article or other thing of value pawned or pledged, or any second hand article obtained through purchase or exchange, shall at all reasonable times, be open to the inspection of the mayor or any member of the police force.

Purchase of Second Hand Articles. SECT. 2914. Pawnbrokers to record any second hand furniture, metals or clothes in the same manner as a pledge, and the record to show time of purchase, amount paid for said article or thing and the name and residence of person selling such article or thing.

Report to Police. SECT. 2915. It shall be the duty of every person, firm or corporation licensed as aforesaid to make out and deliver to the superintendent of police every day, before the hour of twelve o'clock noon, a legible and correct copy from the books required in section 2910 and section 2914 hereof, of all personal property and other valuable things received on deposit, and all second hand articles purchased during the preceding day, setting forth the hour when received and the description of the person by whom left in pledge or sold.

Sale and Redemption of Pledge. SECT. 2916. No personal property received on deposit or pledge by any such licensed pawnbroker shall be sold or permitted to be redeemed or removed from the place of business of such licensed pawnbroker for the period of twenty-four hours after the copy and statement to be delivered to the superintendent of police shall have been delivered as required by the preceding section; and no personal property pawned or pledged shall be sold or disposed of by any such pawnbroker within one year from the time when the pawner or pledger shall make default in the payment of the interest on the money so advanced by such pawnbroker, unless by the written consent of such pawner or pledger. No second hand article purchased by any such licensed pawnbroker shall be sold or removed from the place of business of such licensed pawnbroker for the period of thirty days after the copy and statement to be delivered to the superintendent of police shall have been delivered as required in the preceding section.

Hours of Business. SECT. 2917. Not to do business before the hour of 6 a.m. and after 8 p.m. during the months of January, February, March, April, October, November and December of each year; nor before the hour of 5 a.m. and after the hour of 9 p.m. during the months of May, June, July, August, and September of each year.

Display of Weapons Prohibited. SECT. 2918. No person, firm or corporation licensed as above shall show, display or exhibit any pistol, revolver, derringer, bowie-knife, dirk, or other weapon of like character which can be concealed on the person, in any show window or in or on any premises immediately abutting upon any street, public way or side-

walk in the city in such a way that the same may be seen from such street, public way or sidewalk.

Employes Under Sixteen Prohibited. SECT. 2919. No person, firm or corporation licensed as aforesaid, shall permit any person under the age of sixteen years to take pledges in pawn for him, nor to purchase second hand articles for him.

Pledge of Purchase From Minor Prohibited. SECT. 2920. No person, etc., licensed as above, shall take or receive in pawn or pledge, for money loaned, or shall buy any property, bonds, notes, securities or other valuable thing, from a minor, or shall so take, receive or buy any such property the ownership of which is in, or which is claimed by, any minor, or which may be in the possession or under the control of any minor.

Pledge From Thief, Etc., Prohibited. SECT. 2921. No person, etc., so licensed, shall take any article in pawn or buy from any person appearing to be intoxicated, nor from any person known to be a thief or to have been convicted of larceny or burglary, and when any person is found to be the owner of stolen property which has been pawned or bought such property shall be returned to the owner thereof without the payment of the amount advanced by the pawnbroker thereon or any costs or charges of any kind which the pawnbroker may have placed upon the same.

Revocation of License. SECT. 2922. It shall be the duty of the superintendent of police to report to the mayor any failure to comply with, or any violation of, any provision of this chapter on the part of such licensee, and the mayor may thereupon revoke the license of such person.

Penalty. SECT. 2933. Any pawnbroker, loan-broker or keeper of a loan office who shall violate, neglect or refuse to comply with any of the provisions of this chapter shall, in addition to the revocation of his license, be fined not less than $25, nor more than $100 for each offense.

PEDDLERS. *Name and Address to Be on Wagons and Carts.* SECT. 2930. Every wagon, cart or other vehicle used by a peddler in or about his business to have the name and address of owner plainly, distinctly and legibly painted in letters and figures at least two inches in height in a conspicuous place on the outside of each side of every such wagon, cart or other vehicle.

Peddlers' Wagons, Pushcarts to Be Marked. SECT. 2931. Every peddler whose license entitles him to use wagon or other similar vehicle, drawn or propelled by animal or mechanical power, shall obtain from city clerk, at time license is issued, a metal plate, eight inches long and four inches wide. Such plate to have stamped thereon a number corresponding to the number of such peddler's license and the words "Chicago Wagon Peddler" together with the year for which such license is issued. Such plate to be of different color and design for each license period.

Removal of Plate at Expiration of License. SECT. 2932. Such plate to be removed at the expiration of the license period; and no peddler shall be permitted to use any wagon or other vehicle in or about his business with any metal plate attached thereto for a license period other than the license period or year during which such metal plate is affixed.

Peddlers to Wear Badge. SECT. 2933. Every person having license as peddler, while engaged in

business of peddling, to wear badge conspicuously on the outside of his outside coat. If licensed to peddle from wagon such badge to have stamped thereon the words "wagon peddler." If licensed to peddle from a pushcart, handcart or other like vehicle, such badge to have stamped thereon "handcart peddler." If licensed as a pack peddler such badge to have stamped the words "pack peddler." If licensed to peddle from basket or like receptacle such badge to have stamped the words "basket peddler." Such badges to be of different color and design for each license period and to have number thereon corresponding to the number of the license issued to such peddler.

Peddling Prohibited on Sundays. SECT. 2936. No one having peddler's license shall peddle any fruit, goods, wares or merchandise or other article or thing whatsoever on Sunday under a penalty of not less than $25, nor more than $50 for each offense.

Fraud—Imposition. Penalty. SECT. 2937. Any licensed peddler who shall be guilty of any fraud, cheat, misrepresentation or who violates, neglects, or refuses to comply with any of the provisions of this section shall be fined not less than $20, nor more than $200, for each offense, where no other penalty is provided in this chapter. *See also Calling of Wares.*

POLICE OFFICERS. *Refusal or Neglect to Perform Duty.* SECT. 3104. Any member of the police department who shall neglect or refuse to perform any duty required of him by the ordinances of the city or the rules and regulations of the department of police, or who shall in the discharge of his official duties be guilty of fraud, extortion,

oppression, favoritism or willful wrong or injustice, may, in addition to any other penalty or punishment imposed by law, be fined not more than $100 for each offense.

Impersonating a Member of the Department. SECT. 3118. Any person who shall falsely assume or pretend to be a policeman or a member of the department of police of this city, or who shall, without being a member of the department of police of this city, wear in public the uniform adopted as the police uniform, or wear or use the badge or star used by the department of police, or any similar in appearance, shall be fined not less than $10, nor more than $100 for each offense.

Resisting Police Officer—Rescue. SECT. 3120. Any person who shall resist any officer of the police department in the discharge of his duties, or shall in any way interfere with or hinder or prevent him from discharging his duty as such officer, or shall offer or endeavor to do so, and whoever shall in any manner assist any person in the custody of any member of the department of police to escape from such custody, or attempt to rescue any person in custody, shall be fined not less than $10, nor more than $100, for each offense.

PUBLIC VEHICLES. *Dispute as to Fare—Police to Determine.* SECT. 3950. Disputes as to fare or distance, which may arise between any passenger and the operator of any public passenger vehicle licensed under this chapter, shall be determined by any member of the public vehicle license commission or by any other member of the police force.

Carrying Deadly Weapons. SECT. 3939. It shall be unlawful for any person engaged in the business

of driving a public motor vehicle for hire in or upon the streets of the city to have in his possession, or in or about the driver's compartment of said vehicle, a firearm, blackjack or any other dangerous or deadly weapon. Penalty for such violation not less than $5, nor more than $200.

Refusal to Pay Fare. SECT. 3951. Any person who shall employ any public passenger vehicle, licensed under the provisions of this chapter, and upon discharging the same after use, shall neglect or refuse to pay for services rendered in accordance with the rates established by this chapter, shall be fined not less than $5, nor more than $100 for each offense.

RULES OF THE ROAD. *See Traffic Regulations.*

SCHOOLS. *See Cigarettes. Traffic Regulations.*

SECOND HAND DEALERS. *See Dealers.*

SIDEWALKS. *Casting Rinds and Peels.* SECT. 2705. No person shall throw, cast, lay or place on any sidewalk in the city the rind or peel of any orange, banana, apple or other fruit, under a penalty of not less than $2, nor more than $20.

Spitting on Sidewalk. SECT. 2706. No person shall spit upon any public sidewalk, or upon the floor of any public conveyance, or upon the floor of any theater, hall, assembly room or public building, under a penalty of not less than $1, nor more than $5 for each offense.

Flying Kites. SECT. 2708. No person shall rise or fly, or attempt to fly, any kite in any street or other public place in the city, under a penalty of $5 for each offense.

Skating on Sidewalks Only. SECT. 2709. It shall be unlawful for any person to skate on roller or ice skates upon any street, except on the sidewalks thereof, and at street intersections while crossing from one side of the street to the other. Penalty not less than $1, nor more than $25.

Throwing Stones. SECT. 2710. No person shall throw or cast any stone or other missile in, from or to any street or public place in the city under a penalty of not more than $5 for each offense.

Throwing Glass or Other Sharp Objects in Public Places. SECT. 2711. No person shall throw, drop, place or deposit or cause to be thrown, dropped, placed or deposited in or upon any public sidewalk, street, alley or roadway, public bathing beach or public playground any glass bottles, glass, nails, tacks, wire, crockery, cans or other sharp or cutting substance injurious or dangerous to the feet of persons or animals, or to the tires or wheels of any kind of vehicle, including motor vehicles. Penalty not less than $2, nor more than $20. PROVIDED, that where person has accidentally dropped from his hand or vehicle any of the foregoing substances such penalty shall not be enforced if such person shall immediately make all reasonable efforts to clear such place of the same.

Throwing Objects on Athletic Field. SECT. 2712. No person shall throw, drop or place upon any baseball park, athletic field or other place where games are played any bottle or other glass receptacle or any broken bottle or other broken thing or instrument. Penalty not less than $25 nor more than $200 for each offense.

Removing Sod or Earth. SECT. 2713. No person shall dig, cut or remove any sod or earth from

any street or other public place within the city without a permit from the commissioner of public works, or from any premises not his own without the consent of the owner, under a penalty of not less than $5, nor more than $50 for each offense.

STINK BALLS. *Unlawful to Sell or Have in Possession.* SECT. 2681. It shall be unlawful for any person, firm or corporation to sell or offer to sell, give away or offer to give away, or to have in his, their or its possession, or for any person to carry about, any stink ball or fire ball, or any bomb, ball, tube, vial or bottle made of thin glass or other easily breakable material, containing any solution of corrosive or caustic acid, phosphorus or other explosive or inflammable fluid or substance, or any hydrogen sulphide, valerianic acid, ammonium valerianate, valerianate of zinc, or any solution or mixture thereof, or any other stinking, nauseous, offensive or filthy substance.

Sale Only Upon Written Prescription of Licensed Physician. SECT. 2682. No person, etc., to sell any of the above mentioned substances except upon the written prescription of a licensed physician, which prescription shall be filled only once and shall have written upon it the name and address of the patient; this section not to apply to wholesale sales by manufacturing or wholesale druggists to retail druggists, chemists, etc.

Possession of Certain Nauseous and Offensive Substances Unlawful. SECT. 2683. It shall be unlawful for any person to carry about any corrosive or caustic acid, phosphorus, or any solution or mixture thereof, or any hydrogen sulphide, valerianic acid, ammonium valerianate, valerianate of zinc, or any other stinking, nauseous, offensive or filthy sub-

stance of like or similar nature; this section not to apply to manufacturing and wholesale druggists, retail druggists, physicians or chemists, or to persons who have obtained same upon a prescription of licensed physician.

Casting or Placing Stink Balls. SECT. 2684. It shall be unlawful for any person to cast, throw deposit or place any stink ball, fire ball or bomb, as described in section 2681 hereof, or to cast, deposit or place any substance described in section 2682 hereof, from, upon or to any street or public place in the city, or at, upon or within any public conveyance, or upon the floor or within any restaurant, theatre, hall, assembly room or public building, or at, upon or within any carriage, automobile, public park or other vehicle within the city.

Penalty. SECT. 2685. Any person, firm or corporation that shall violate any of the provisions of the four preceding sections shall be subject to a fine of not less than $50, nor more than $200 for each offense.

SKATING. *See Sidewalks.*

SLOT AND TAPE MACHINES. *See Gambling.*

SMOKING. SECT. 2744. It shall be unlawful for any person, firm or corporation, being the owner, or in control thereof, to permit smoking in any public garage, filling station or place where inflammable materials are stored under a penalty of not less than $5 nor more than $50.

SPEED. *See Traffic Rules.*

SIGNS. *Billboard.* SECT. 905. Height must not exceed 15 ft. 6 in., and same must be raised 3 ft. 6 in. above the surface of the ground.

SECT. 909. *Permit Required to Erect.*

SECT. 910. *Permit Required to Alter, Repair or Remove Same.*

SECT. 913. *Owner's Name to Be Placed at Top of Same.*

SPRINKLING HOSE. *See Water.*

STREETS. *Wagon Boxes—Overloading.* SECT. 3708. Any person causing any cart, wagon or other vehicle to be loaded and heaped up so that the contents or any part thereof shall be scattered in any street, or other public place in the city shall be fined not more than $5, for each offense.

Obstructions. Vehicles. SECT. 3698. No person shall permit any wagon, sleigh, sled, carriage or vehicle of any kind or description, or any part of the same, without horses or other beasts of burden attached, to remain or stand in any street of this city, under a penalty of not less than $1, nor more than $25 for each offense, and any such wagon, etc., may be removed by the department of public works or by any police officer.

Proper Obstructions. SECT. 3726. It shall be lawful for any person employed to pave or repave any street in the city to place proper obstructions across such street for the purpose of preserving the pavement then newly made or to be made, until the same shall be fit for use.

Displacement of Proper Obstructions. SECT. 3727. No person shall without the consent of the commissioner of public works, in writing, or with-

out the consent of the person superintending such paving, throw down, displace or remove any such obstruction mentioned in the preceding section under a penalty of not more than $15 for each offense.

Signal Lights. SECT. 3729. Any person having the use of any portion of the street or sidewalk for the purpose of erecting or repairing any building, or for any other purpose, shall cause two red lights to be placed in a conspicuous place, one at either end of such obstruction, from dusk until sunrise in the morning, each night during the time such obstruction remains.

Paving—Duty of Contractor—Lights. SECT. 3730. It shall be the duty of every person engaged in digging in any street, or in paving any street, or in building any sewer or drain or trench for water pipes in any of the public streets, under a contract with the city, where such work if left exposed, would be dangerous to passengers, to erect a fence or railing at such excavations or work in such a manner as to prevent danger to passengers who may be traveling such streets, and to continue to maintain and uphold such railing or fence until the work shall be completed or the obstruction or danger removed. It is the duty of such person to place upon such railing or fence, at sunset, suitable and sufficient lights, and to keep them burning through the night during the performance of such work, under a penalty of not more than $200, for every violation of the provisions of this section.

Unlawful to Mix Concrete, Cement, Etc. SECT. 3747. It shall be unlawful for any person, firm or corporation to mix upon the surface of any street or sidewalk within the city of Chicago any dry or

wet concrete, cement or plaster of any kind or description. Penalty not less than $2, nor more than $100 for each offense.

Unlawful to Deposit on Streets or in Public Waters. SECT. 3748. It shall be unlawful for any person, etc., in person, or by his, her or its agent, employe or servant, to cast, throw, drop, place, sweep, sift or deposit in any manner whatsoever in or upon any street, sidewalk, alley, park or public place in the city, or in or upon the waters of Lake Michigan, or any canal, river, public water, drain, sewer or receiving basin within the jurisdiction of the city of Chicago, any paper, pasteboard, straw, excelsior, shavings, chips, sawdust, wood, rope, twine, wool, cotton, flax, hemp, jute, rubber, leather, ashes, cinders, soot, charcoal, coal, slag, dust, earth, sand, clay, mud, gravel, lime, shells, mortar, plaster, tar, hay, grass, leaves, weeds, grain, salt, hair, feathers, moss, shucks, bark, brick, stone, wire, nails, tacks, iron, tin, brass, copper, glass or pottery, or any kind of garbage, refuse or offal, whether animal or vegetable; or any slops, suds, swill, brine, rinsings, dishwater, urine, dirty, foul, bloody or ill-smelling liquid; or any excrement, manure, carrion, dead fish, fowl or animal; or any fruit or vegetable, or any portion thereof; or any kind of dirt, rubbish, waste article, thing or substance whatsoever, whether liquid or solid, and whether of the same nature as the articles, things or substances herein specifically mentioned or not.

This section not to apply to the deposit of material under a permit authorized by any ordinance of the city; nor to any goods, wares or merchandise deposited upon any street, sidewalk, etc., temporarily, in the necessary course of trade, and re-

moved therefrom within two hours after being so deposited; nor to articles or things deposited or conducted into the city sewerage system through lawful drains in accordance with the ordinance relating thereto.

Unlawful to Deposit Near Street, Etc. SECT. 3749. It shall be unlawful for any person, etc., to cast, etc., any article or thing mentioned in section 3748 in such a manner that they or any of them may be carried or deposited by the action of the sun, wind, rain, or snow, into or upon any street, sidewalk, etc., or into the waters of Lake Michigan, or any river, canal, public place, drain, sewer or receiving basin within the jurisdiction of the city; provided, that this section shall not apply to the deposit of material under a permit authorized by any ordinance of the city.

Penalty. SECT. 3750. Any person, firm or corporation that shall violate or that shall refuse, neglect or fail to comply with any of the provisions of this article, where no other penalty is provided for therein, shall be fined not less than $2, nor more than $100 for each offense.

TAXICABS. *See Public Vehicles. Motor Vehicles.*

TRAFFIC REGULATIONS. *Vehicles to Stop Before Crossing Through Streets.* SECT. 2758. Every person operating a vehicle on any street intersecting through traffic streets shall come to a full stop before entering or crossing such street. Penalty for failure to comply with the above, not less than $2, nor more than $50, for each offense.

Vehicle Overtaking Another. SECT. 3819. Any vehicle overtaking another vehicle to pass on the left side of the overtaken vehicle.

Vehicles Meeting. SECT. 3821. In all cases of persons meeting each other in any highway or thoroughfare, or upon or near any bridge, each person so meeting shall in all cases turn off and go to the right side.

Vehicle Turning Corner. SECT. 3822. Before turning the corner of any street or public way, the driver or person in possession, charge or control of any vehicle being driven or propelled around such corner shall give a signal by raising his hand or whip so that such signal can be plainly seen from behind such vehicle and from the side toward which the turn is to be made, and such signal shall be given in a manner which shall plainly indicate the direction in which such vehicle is about to turn.

Vehicles Approaching Boulevards and Car Lines. SECT. 3823. Unlawful for any person, etc., driving or operating any vehicle, to drive or cause same to be driven onto any boulevard, or onto any driveway or roadway of any boulevard without first bringing such vehicle to a full and complete stop. And it shall be unlawful for any person, etc., driving or operating any motor vehicle, motor truck or motorcycle upon any public street or alley in the city to drive or cause same to be driven at a speed of more than ten miles per hour onto or across any other street within the limits of the city on which a street car is operating. Any person, etc., violating any of the provisions of this section shall be fined not less than $1, nor more than $200 for each offense.

Driving Out of Alley. SECT 3824. Unlawful for any person to drive a vehicle out of an alley onto a street or other public thoroughfare without bringing such vehicle to a complete stop before

driving same across the sidewalk or the crossing intersecting the entrance to said alley. Penalty not less than $5, nor more than $100 for each offense.

Vehicles to Stop When Street Cars Take On or Discharge Passengers. SECT. 3825. Unlawful for any person driving or having charge, possession or control of any vehicle being driven or propelled or operated upon the streets of the city, upon overtaking any street car which is stopped for the purpose of discharging or taking on passengers, to permit or cause said vehicle to pass or approach within ten feet of said car as long as said car is so stopped or remains standing for the purpose of discharging or taking on a passenger or passengers.

Right of Way. SECT. 3826. All vehicles traveling upon public highways shall give the right of way to other vehicles approaching along intersecting highways from the right, and shall have the right of way over those approaching from the left; provided, however, that police vehicles, fire department vehicles, vehicles transporting United States mail, ambulances and vehicles traveling upon boulevards shall have the right of way over other vehicles.

No Vehicle to Stop in Street Except Near Curb. SECT. 3827. Except in an emergency or for the purpose of allowing another vehicle or pedestrian or pedestrians to cross, no vehicle shall be permitted to stop in any street or public way in the city, except near the curb thereof; and when it is desired to stop any vehicle being driven along the street, before such vehicle is stopped, the driver or person in possession, charge or control thereof shall give a signal in such a manner as to be plainly seen from the rear, either by raising his hand or whip

or by giving some visible or audible signal which shall plainly indicate an intention and desire to stop the vehicle of which he is in charge.

Vehicle Not to Start or Turn from Curb Until Signal Is Given. SECT. 3828. No vehicle standing at or drawn alongside of any street or public way shall be permitted to start or turn from such curb until the driver or person in possession, charge or control of such vehicle shall have given a signal which can be plainly seen from the rear of such vehicle and from the side toward which he is about to turn, which signal may be made by raising the hand or whip or by giving an audible signal in such a manner as to plainly indicate his intention and desire to start or turn from such curb and the direction in which such turn is to be made.

Rules Relating to Traffic in Public Alleys. SECT. 3829. Within the territory bounded on the north by Kinzie street, on the south by Roosevelt road, on the west by Canal street, and on the east by Michigan avenue, all trucks, automobiles, vehicles, etc., to enter or travel in alleys in the following manner: All alleys running due east and west to be entered from the east and travel in a westerly direction along such alley at a point west of the point of entrance. All trucks, etc., using any alley running north and south shall enter such alley from the north and shall travel in a southerly direction along such public alley and leave such public alley at a point south of the point of entrance.

Stopping at Curbs. SECT. 3831. No vehicle shall stop on any street with its left side to the curb.

Backing Vehicles to Curb. SECT. 3833. In no case shall vehicles remain backed up to the curb, except when actually loading or unloading.

Obstructing Crossings. SECT. 3834. No vehicle shall stop except in case of accident or other emergency, or when directed to stop by the police, in such a way as to obstruct any street crossing or within five feet of any such crossing.

Signal for Automobile. SECT. 3835. Every person driving an automobile or motor vehicle shall at the request or signal, by putting up the hand, from a person driving or riding a frightened horse or horses, cause the automobile to come to a full stop, and to remain stationary as long as may be necessary to allow such horse or horses to pass.

Vehicles Passing. SECT. 3836. All vehicles shall keep as close to the right hand curb as safety and prudence shall permit, except when overtaking and passing another vehicle, and except when running within the car tracks. An overtaken vehicle must at all times be passed on its left side, except in the case of motor vehicles and motorcycles passing street cars or other vehicles when running within the car tracks; in such case such motor vehicles or motorcycle shall not turn to the left into the track reserved for street cars and vehicles moving in the opposite direction, but shall pass to the right of such street car or vehicle so overtaken.

Traffic Not to Be Obstructed. SECT. 3837. No vehicle shall be allowed to remain upon or drive through any street of the city so as to blockade or obstruct the traffic on the street.

Blockades. SECT. 3838. Whenever, from any cause, any street or alley in the city shall be obstructed, the mayor, or any alderman or police of-

ficer may give such directions in regard to the movement of pedestrians, vehicles and street cars as may be required by public convenience. Any person refusing or neglecting to obey such directions shall be fined not less than $1 nor more than $25.

Animals Unfastened. SECT. 3839. No person shall leave any horse or other animal attached to any carriage, wagon, cart, sleigh, sled, or other vehicle in any public way of the city, without securely fastening such horse or other animal, under a penalty for each offense of not less than $2, nor more than $10.

Duty of Police to Enforce Rules of the Road. SECT. 3840. It shall be the duty of members of the department of police to enforce the provisions of this article and to see that the rules herein laid down are strictly enforced, except in case of an emergency. In such case these rules may be waived and the discretion of the policeman or policemen on duty at the particular point where such emergency shall arise shall be exercised so as to prevent accident, blockade, or any impeding of traffic.

Penalty. SECT. 3842. Any person who shall be in possession, charge or control of any vehicle, whether propelled by animal power or otherwise, driven or propelled in, upon or along the streets or public ways, who shall violate any of the provisions of this article, or with any order or direction of any policeman on duty upon or along any of the streets or public ways of the city, when such order is given for the purpose of carrying into effect the provisions of this article shall be fined not less than $5, nor more than $100 for each offense.

Speed Regulated. SECT. 3843. No horse or other animal-drawn vehicle, or horse or other

animal to be driven or ridden at a greater speed than ten miles per hour upon any street or public way, under a penalty of not less than $5, nor more than $50 for each offense.

Speed of Vehicles and Horses Near School Houses. SECT. 3844. Speed, for all vehicles, limited to five miles per hour, within four hundred feet of any school house, between the hours of 8 a. m. and 5 p. m., on any day on which school is in session, under a penalty of not less than $5 nor more than $100, for each offense.

Speed Near Public Playgrounds. SECT. 3845. Speed, for all vehicles, limited to five miles per hour, within four hundred feet of any public playground in the city, between the hours of 8 a. m. and 7 p. m., on any day during which such playground is in operation and open under a penalty of not less than $5, nor more than $100 for each offense.

Speed of Vehicles Near Church. SECT. 3846. Speed for all vehicles limited to five miles per hour, within four hundred feet of any church during the time or times people are entering or leaving churches on Sundays or holidays or any other day set apart by such church for religious worship, under a penalty of not less than $5, nor more than $100 for each offense.

Intersections and Corners. Speed. SECT. 3847. No person, upon turning the corner of any street or crossing the intersection of any street in the city, shall ride or drive any horse or other animal with greater speed than at the rate of four miles an hour, under a penalty of not more than $10 for each offense.

Interrupting Funeral Processions. SECT. 3850. Unlawful for street cars and vehicles of every

description and nature except police and fire department vehicles, when reaching the intersection of a street where a funeral procession is passing, or about to pass, to interrupt or disturb the passage of said funeral procession; such street cars and other vehicles shall permit said procession to pass before attempting to make the crossing of the street. Penalty for violation not less than $5 nor more than $100 for each offense.

TOBACCO. *Sale to Minors Under Sixteen Prohibited.* SECT. 979. No person, firm or corporation shall sell or furnish any cigars or tobacco in any form to any minor under sixteen years of age, except upon the written order of the parent or guardian of such minor child. Penalty not less than $10, nor more than $100 for each offense.

TUNNEL. *See Animals.*

VAGABONDS, VAGRANTS. SECT. 2679. All persons who are idle and dissolute, or who go about begging; all persons who use any shell game, sleight of hand or juggling trick or other unlawful game to cheat, defraud or unlawfully obtain money or other valuable thing; pilferers; confidence men; common drunkards; common night walkers; persons lewd, wanton or lascivious in speech or behavior, common brawlers; persons who are habitually neglectful of their employment or their calling, and do not lawfully provide for themselves or for the support of their families; and all persons who are idle or dissolute and who neglect all lawful business, and who habitually misspend their time by frequenting houses of ill-fame or gaming houses; all persons lodging in or found in the night time in outhouses, sheds, barns or unoccupied buildings

or lodging in the open air, and not giving a good account of themselves; and all persons who are known to be thieves, burglars or pickpockets, either by their own confession or otherwise, or by having been convicted of larceny, burglary, or other crime against the laws of the state punishable by imprisonment in the state prison or in a house of correction of any city, and having no lawful means of support, are habitually found prowling around any steamboat landing, railroad depot, banking institution, broker's office, place of public amusement, auction room, store, shop, or crowded thoroughfare, car or omnibus, or at any public gathering or assembly, or lounging about any court room, private dwelling houses or outhouses, or are found in any house of ill-fame or gambling house; shall be deemed to be and they are hereby declared to be vagabonds, and shall be fined not to exceed $100, for each offense.

WEAPONS. *See Deadly Weapons.*

WINDOW SILLS. *Objects On.* SECT. 2700. It shall be unlawful for any person to place or keep on any window sill, railing or balcony, top of porch or any other projection from any house or other building in the city, any flower pot, wooden box, bowl, pitcher or other article or thing whatever, unless the same is securely fastened or protected so as to render it impossible for any such box, bowl, pitcher or other article to fall into the street. Penalty for violation not more than $50 for each offense.

WATER. *Drinking Water at Public Dances.* SECT. 189. No person, firm or corporation, either as owner, lessee, manager, officer or agent, shall permit any public dance to be held in any room, place or space within the city unless such room,

place or space shall be provided with a sufficient supply of drinking water available to the patrons, which supply of drinking water shall be located in said room, place or space and not in the space provided for toilet purposes. Penalty not less than $5, nor more than $200, for each offense, and a separate offense shall be regarded as having been committed each day such violation continues.

Regulation for Use of Hose. SECT. 4125. Any hose shall be turned off and shall not be used for sprinkling, washing windows, walks or other like purposes, except between the hours of 5 and 7 a. m. and 7:30 and 10 p. m. Each day that water or hose is used in violation of the foregoing shall constitute a distinct and separate offense. Penalty not less than $5, nor more than $200.

PERSONS SUBJECT TO DEPORTATION. *All aliens who have been convicted of, or admit having committed a felony or other crime or misdemeanor involving moral turpitude, and such as have become public charges from causes existing prior to the landing, are subject to deportation within three years from the date of their entrance into this country. This time limitation does not apply in the case of alien prostitutes, cadets, frequenters or employees of disorderly houses or places frequented by such persons, and they may be returned to the country whence they came without regard to the length of their residence here.*

The officer should, where possible, secure the name, address and description of the subject of the report, date of arrival in this country, steamer or train on which he or she arrived and the port of arrival. The United States Immigration Office should be notified in all cases.

NATIONAL MOTOR VEHICLE THEFT ACT. SECT. 1. An act to punish the transportation of stolen motor vehicles in interstate or foreign commerce.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the National Motor Vehicle Theft Act.

SECT. 2. That when used in this Act:

(a) The term "motor vehicle" shall include an automobile, automobile truck, automobile wagon, motorcycle, or any other self-propelled vehicle not designed for running on rails.

(b) The tearm "interstate or foreign commerce" as used in this Act shall include transportation from one State, Territory, or the District of Columbia, to another State, Territory, or the Distric of Columbia, or to a foreign country, or from a foreign country to any State, Territory, or the District of Columbia.

SECT. 3. That whoever shall transport or cause to be transported in interstate or foreign commerce a motor vehicle, knowing the same to have been stolen, shall be punished by a fine of not more than $5000, or imprisonment of not more than five years, or both.

SECT. 4. That whoever shall receive, conceal, store, barter, sell or dispose of any motor vehicle, moving as, or which is a part of, or which constitutes interstate or foreign commerce, knowing the same to have been stolen, shall be punished by a fine of not more than $5000, or by imprisonment of not more than five years, or both.

SECT. 5. That any person violating this Act may be punished in any district in or through which such motor vehicle has been transported or removed by such offender.

EVIDENCE.

All means by which alleged matter of fact, the truth of which is submitted to investigation, is established or disproved.

That which tends to prove or disprove any matter in question, or to influence the belief respecting it. That which is legally submitted to a jury, to enable them to decide upon the question in dispute.

In jurisprudence evidence is classified into that which is proved by some writing containing a positive statement of the facts and binding the party whom it affects; or that which is proved by some witness, who has, and avers himself to have, positive knowledge thereof by means of his senses.

Whenever the fact is not so directly and positively established, but is deducted from other facts in evidence, it is presumptive and circumstantial only.

Direct Evidence. Is that means of proof which tends to show the existence of a fact in question without the proof of any other fact.

Prima Facie Evidence. Is that which appears to be sufficient proof respecting the matter in question.

Preponderence of Evidence. Greater weight of evidence or evidence which is the more credible and convincing to the mind.

Scintilla of Evidence. The doctrine that where there is any evidence, however slight, tending to support a material issue, the case must go to the jury, since they are the exclusive judges of the weight of the evidence.

Weight of Evidence. This phrase is used to signify that the proof on one side of a cause or issue is greater than on the other.

Hearsay Evidence. Statements made by a witness on the authority of another, and not from personal knowledge of observation.

DYING DECLARATIONS.

FORM:

I, John Smith, believing that I am about to die and having absolutely no hope of recovery, do hereby solemnly declare that (Jim Doe) did on or about the .... day of .... A. D. .... in the City of Chicago, County of Cook, and State of Illinois,

.....

.....

.....

I hereby declare that the above statement is the whole truth and that it is made by me under the fixed belief that I am about to die and look to death as inevitable and at hand.

Signed .....

Witnesses: .....

.....

.....

Dying Declarations are such as are made by the party relating to the facts of the injury of which he afterwards dies, under the fixed belief and moral conviction that his death is impending and certain to follow almost immediately, without opportunity for repentance, and in the absence of all hope of avoidance; when he has despaired of life and looks to death as inevitable and at hand.

These declarations are admissible in evidence only in cases of homicide, where the death of the deceased is the subject of the charge and the circumstances of the death are the subject of the dying declarations, in which case they are admissible against the accused.

It is essential to the admissibility of these declarations, and is a preliminary fact to be proved by the party offering them, that the party knew or thought he was in a dying state.

The declarations of the deceased must be excluded if he would not be a competent witness if offered as such at the trial.

If the declaration is merely an opinion it is not admissible.

The statement must be complete in itself.

The declaration may be made in answer to leading questions or in the absence of the accused without giving him an opportunity for cross-examination.

The better way is to have them reduced to writing and sworn to by the person making same and witnessed.

Where evidence of the dying declaration is admissible, it need not be given in exact words; the substance of such declaration, if the witness is not able to state the exact language used, is all that is required.

A dying declaration is from necessity admissible in a prosecution for homicide to prove the fact of the killing, who was the murderer, and such other facts and circumstances as are immediately connected with the killing.

DEFINITIONS

DEFINITION OF WORDS AND PHRASES.

ABET. To encourage or set another on to commit a crime, or to command, procure or counsel him to commit it.

ABETTOR. One that promotes or procures the commission of a crime.

ACCESSARY. One who is not the chief actor in the perpetration of the offense, but is in some way concerned therein, either before of after the fact committed.

Before the Fact. Is one who stands by, and aids, abets, or assists, or who not being present, aiding, abetting, or assisting, hath advised, encouraged, aided or abetted the perpetration of the crime. He who thus aids, abets, assists, advises or encourages, shall be considered as principal, and punished accordingly.

Every such accessary, when a crime is committed within or without this state by his aid or procurement in this state, may be indicted and convicted at the same time as the principal, or before or after his conviction, and whether the principal is convicted or amenable to justice or not, and punished as principal.

After the Fact. Every person not standing in the relation of husband or wife, parent or child, brother or sister to the offender, who knows the fact that a crime has been committed, and conceals it from the magistrate, or who harbors, conceals, maintains or assists any principal felon, or any ac-

cessary before the fact, knowing him to be such, shall be deemed as accessary after the fact and shall be punished by imprisonment in the penitentiary for a term not less than one year and not exceeding two years, and fined not exceeding $500.

ACCOMPLICE. One who is in some way concerned in the commission of a crime, though not as accessary. One of many equally guilty in a felony.

"The term generally applied to those who are admitted to give evidence against their fellow criminals for the furtherance of justice which might otherwise be eluded." *Cross* vs. *People,* 45 Ill., P. 152.

ACCUSATION. A charge made to a competent officer against one who has committed a crime, so that he may be brought to justice.

The accusation consists of a plain brief, and certain narrative of an offense committed by any person, and of those necessary circumstances that concur to ascertain the fact and its nature.

In all criminal prosecutions the accused shall enjoy the right to be informed of the nature and cause of the accusation.

ACQUITTAL. The absolution of a party charged with a crime or misdemeanor. Acquittals in fact are those which take place when the jury, upon trial finds a verdict of not guilty. Acquittals in law are those which take place by mere operation of law; as where a man has been charged merely as an accessary and the principal has been acquitted.

AD INTERIM. In the meantime.

ADMISSIONS. Voluntary acknowledgments made by a party of the existence of certain facts.

As distinguished from confessions, the term is applied to civil transactions and to matters of fact in criminal cases where there is no criminal intent. Direct admissions are those which are made in direct terms. Implied admissions are those which result from some act, or failure to act of the party. Incidental admissions are those made in some other connection, or involved in the admission of some other fact.

ALIAS (*Latin*: *Otherwise*). The term used to indicate an assumed name.

ALIBI. The defense, offered by a person charged with a crime that he was in another place at the time the alleged crime was committed.

AMENDMENT. *In Legislation.* An alteration or change of something proposed in a bill or established as law.

In Practice. The correction, by allowance of the court, of an error in the progress of a cause.

AMOTION. An unlawful taking of personal chattels out of the possession of the owner, or of one who has a special authority in them.

ANSWER. The declaration of a fact by a witness after a question has been put, asking for it.

APPEAL. The methods of exercising appellate jurisdiction for the review by a superior court of the final judgment, order or decree of some inferior court.

In no criminal case shall the People be allowed an appeal, writ of error or new trial.

APPEARANCE. A coming into court as party to a suit, whether as plaintiff or defendant. The formal proceeding by which a defendant submits himself to the jurisdiction of the court.

ARGUMENT. An effort to establish belief by a course of reasoning.

ARRAIGN. To call the prisoner to the bar of the court to answer the matter charged in the indictment.

The first step in the proceeding consists in calling the defendant to the bar by his name, and commanding him to hold up his hand; this is for purposes of identification. The second step is the reading of the indictment to the accused person.

The third step is the asking the prisoner: "Are you guilty or not guilty?"

ARREST. To deprive a person of his liberty by legal authority. The taking, seizing, or detaining the person of another in order to be forthcoming to answer an alleged or suspected crime.

ARREST OF JUDGMENT. The refusal of a court to give judgment, notwithstanding a verdict, which may occur when there is some substantial error appearing on the face of the record which vitiates the proceeding, or when it appears on the face of the record that the plaintiff is not entitled to it.

ASSAULT. An assault is an unlawful attempt, coupled with a present ability, to commit a violent injury on the person of another.

ATTESTING WITNESS. One, who, upon being required by the parties to an instrument, signs his name to it to prove it and for the purposes of identification.

BAIL. A delivery or bailment of a person to his sureties upon their giving, together with himself, sufficient security for his appearance, he being supposed to continue in their friendly custody instead of going to jail. (Blackstone.)

BAILEE. One to whom goods are bailed; the party to whom personal property is delivered under a contract of bailment. His duties are to act in good faith, and perform his undertaking, in respect to the property intrusted to him, with the diligence and care required by the nature of his engagement.

BAR. A particular part of the court room. As thus applied it takes its name from the actual bar, or inclosing rail, which originally divided the bench from the rest of the room, as well as from that bar or rail, which then divided, and now divides, the space including the bench, and the place which lawyers occupy in attending on and conducting trials, from the body of the courtroom. The court, in its strictest sense, sitting in full term.

BILL OF EXCEPTIONS. A written statement of objections to the decision of a court upon a point of law, made by a party to the cause and properly certified by the judge or court who made the decision.

BONDSMAN. A surety; one who is bound or gives security for another.

BOYCOTT. (*From Captain Boycott, a land agent in Mayo, Ireland, who was so treated in* 1880.) A combining to withhold or prevent dealings or social intercourse with a tradesman, employer or other person; forbidding, or inducing others to withhold business dealings, trade, social intercourse and the like with another person, in

order to make him agree to certain things or do certain things or comply with certain demands made of him.

BURDEN OF PROOF. The duty of proving facts disputed on the trial of a cause. It commonly lies on the person who asserts the affirmative of an issue, and is said to be shifted when sufficient evidence is furnished to raise a presumption that what is alleged is true. The duty of proving a particular position in a court of law, a failure in the performance of which duty calls for judgment against the party on whom the duty is imposed.

CERTIFIED COPY. A copy made or attested by officers having charge of the original and authorized to give copies officially.

CHARACTER. The possession by a person of certain qualities of mind or morals, distinguishing him from others. A clear distinction exists between the strict meaning of the words *Character* and *Reputation*. *Character* is defined to be the assemblage of qualities which distinguish one person from another, while *Reputation* is the opinion of character generally entertained.

CODE. A body of law established by the legislative authority of the state, and designed to regulate completely, so far as a statute may, the subjects to which it relates. A collection or system of laws.

COGNIZANCE. Acknowledgment; recognition; jurisdiction; hearing a matter judicially.

COMPLAINANT. The party who makes the complaint in an action or proceeding.

COMPLAINT. A formal allegation or charge, generally under oath, against a party, made or pre-

sented to the appropriate court or officer, as for a wrong done or crime committed.

COMPOUNDING A FELONY. The act of a party immediately aggrieved who agrees with a thief or other felon that he will not prosecute him on condition that he return to him the goods stolen or who takes a reward not to prosecute.

CONFESSION. A free and voluntary statement made by a person accused of a crime that he has committed the offense charged. A confession made by a prisoner, without any promise, threat or fear, is of the highest order of evidence, even though made by an infant.

Confessions should be taken in writing, if possible, and signed by the person making same, and in the presence of some reputable person or persons. When a confession is not reduced to writing the officer should remember the language precisely as it was stated, and he should keep a memorandum of the conversation.

The declarations of a third person made in the presence of the defendant and assented to by him are admissible in evidence against him and stand on an equal footing with admissions made by himself.

CORPUS DELICTI. The body of the offense; the essence of the crime. The substantial and fundamental fact or facts necessary to the commission of a crime, as in murder the actual death of the person alleged to have been murdered, and as a result of criminal agency.

CORROBORATE. To make more certain; to strengthen; to confirm.

CUSTODIAN. A keeper; one who has the safe-keeping or care of anything.

CUSTODY. The care and possession of a thing.

DE FACTO. An officer *de facto* is one who performs the duties of an office with apparent right and under claim and color of an appointment but without being actually qualified so to act.

DEFENDANT. A person required to make answer in an action or suit in law or equity, or in a criminal action.

DEFENSE. The method of proceeding adopted by the defendant to protect himself against the plaintiff's action. The defendant's denial, answer or plea.

DEPOSITION. The testimony of a witness reduced to writing, in due form of law, by virtue of a commission or other authority of a competent tribunal, or according to the provision of some statute law, to be used on the trial of some question of fact in a court of justice.

DISCIPLINE. Training to act in accordance with established rules; accustoming to systematic and regular action. Subjection to rule. Habit of obedience.

DUE PROCESS OF LAW. The course of legal proceedings that is in accordance with the law of the land.

The regular course of legal or judicial proceedings in any case.

The words "without due process of law" are technical words and have a fixed and definite meaning, and mean: "without indictment or presentment of good and lawful men, or by original writ of the common law, and trial had according to the pre-

scribed forms and solemnities of the common law for ascertaining the guilt or innocence of a party, or determining the title to property."

EQUITY. Equality of rights; the giving to each man his due, according to the natural law. State or quality of being equal or fair. Impartiality.

EXEMPTION. The right given by law to a debtor to retain a portion of his property without its being liable to execution at the suit of a certain creditor or to a distress for rent.

EX OFFICIO. Proceeding from office or authority. By virtue or because of an office; officially.

EX-PARTE. Of the one part. The term *ex parte* implies an examination in presence of one party and the absence of the other.

EXTRADITION. The surrender of one sovereign state to another on its demand of persons charged with the commission of a crime within its jurisdiction, that they may be dealt with according to its laws.

FERAE NATURAE. (*Nature.*) Of a wild nature; applied especially to animals, as foxes, wild ducks, etc., in which at the common law no one can claim absolute property. A qualified property may be obtained in *ferae naturae* by reducing them to possession by owning the land on which they may be, or by having a special privilege of hunting, taking or killing them.

FORTHWITH. As soon as, by reasonable exertion, confined to the object, it may be accomplished. Without delay.

FUGITIVE. One who having committed a crime, flees from the jurisdiction wherein it was committed to escape punishment.

GRAND JURY. A body of men, qualified by law, legally convoked, and empowered to hear and investigate charges of a criminal nature within their proper county. A full panel of the grand jury consists of twenty-three persons, of whom sixteen are sufficient to constitute a grand jury. In finding a bill of indictment, at least sixteen of the grand jury must be present and at least twelve of them must agree to the finding.

IDENTIFY. To make to be the same. To establish the identity of; to prove the same (with something described or asserted).

IDENTITY. The extreme case of resemblance. The condition of being the same with something described or asserted.

IMPANEL. To draw a jury and enroll their names.

IMPEACH. To charge with a crime, or misdemeanor, or with misconduct in office; especially a judge or high public official. To prove that a witness has a bad reputation for truth and veracity, and is therefor unworthy of belief.

INCENDIARY. One who willfully and maliciously sets another person's building on fire. One guilty of the crime of arson.

INDICTMENT. A written accusation directed to and presented upon oath by a Grand Jury (at least twelve of the grand jury), charging a person, therein named, with the commission of a crime,

which it specifically defines, and returned by the grand jury into court where it becomes a part of the record.

The office of the indictment is three-fold:

1st. To inform the court—judge and jury—of the nature of the accusation it is to investigate and pass upon;

2nd. To inform the accused of the charge he is called upon to answer;

3rd. To be and remain a public, permanent record, for the safety of the accused in the future, and to shield him from the possibility of being twice placed in legal jeopardy.

The indictment must contain an allegation of every fact necessary to constitute the criminal charge preferred by it. It must aver that the person or persons accused have committed the particular crime alleged, and it must state all the elements of the offense charged.

Indorsement on Indictment. Only those testifying before the grand jury. There is no requirement of the law of this State that the names of witnesses for the prosecution shall appear on the back of the indictment except those who testify before the grand jury.

The defendant is entitled to reasonable notice of the witnesses who will appear against him, and in cases of felony, to a list of such witnesses at the time of his arraignment, but the trial court may, in the exercise of a sound legal discretion allow other witnesses to be called by the state.

INQUEST. An inquiry by a coroner and his jury into the cause of death either sudden of violent.

INTIMIDATE. To inspire or affect with fear; to frighten; to overawe; to make timid or fearful.

JEOPARDY. The danger that an accused person is subjected to when duly put upon trial for a criminal offense. Most authorities agree that "a person is in jeopardy when he is put upon trial before a court of competent jurisdiction, upon an indictment or information which is sufficient in form and substance to sustain a conviction, and a jury has been impaneled and sworn to try him;" and that when for any reason of necessity or public policy it becomes necessary to stop the trial, or when the accused secures a reversal he has not been put in jeopardy.

JUDGMENT. The conclusion of law upon facts found, or admitted by both parties, or upon their default in the course of a suit. The decision of a court. The sentence of the law pronounced by the court upon the matter contained in the record.

JUDICIAL. Of or pertaining or appropriate to the administration of justice, or courts of justice, or a judge thereof, or the proceedings therein.

JURISDICTION. The authority by which judicial officers take cognizance of and decide causes. The right of a judge to pronounce a sentence of law, on a case or issue before him, acquired through due process of law. It includes power to enforece the execution of what is decreed.

JURY. A body of men who are sworn to declare the facts of a case as they are proven from the evidence placed before them.

JUSTIFIABLE. Capable of being justified, or shown to be just. Excusable, warrantable.

JUSTIFY. To show to have had a sufficient legal reason for an act made the subject of a charge or accusation.

KNOWLEDGE. Information as to a fact. The art of knowing; clear perception of the truth; firm belief; information.

LASCIVIOUSNESS. That form of immorality which has reference to sexual impurity; lustfulness; lewdness.

LAW. The rules and methods by which society compels or restrains the action of its members. That which is laid down. That which is established.

LIEN. A hold or claim which one person has upon the property of another as a security for some debt or charge.

NOLLE PROSEQUI. An entry made on the record, by which the prosecutor or plaintiff declares that he will proceed no further. It may be entered either in a civil or criminal action.

NOLO CONTENDERE. A plea sometimes accepted in criminal cases not capital whereby the defendant does not directly admit himself to be guilty, but tacitly admits it by throwing himself on the mercy of the court, and desiring to submit to a small fine which the court may accept or decline.

NON COMPOS MENTIS. Not of sound mind, memory or understanding. A generic term, including all the species of madness, whether it arises from idiocy, sickness, lunacy or drunkenness.

NON CULPABILIS. A plea of not guilty.

NONSUIT. The name of a judgment against the plaintiff when he is unable to prove a case, or when he refuses or neglects to proceed to the trial of a cause after it has been put at issue, without determining such issue.

NUISANCE. That class of wrongs that arises from the unreasonable, unwarrantable, or unlawful use by a person of his own property, either real or personal, or from his own improper, indecent, or unlawful personal conduct, working an obstruction of or to the right of another, or of the public, and in producing such material annoyance, inconvenience, discomfort, or hurt that the law will presume a consequent damage.

NULL AND VOID. Of no legal force or effect.

OATH. A solemn affirmation, declaration, or promise made under a sense of responsibility to God for the truth of what is stated, or the faithful performance of what is undertaken.

OFFENSE. The doing that which a penal law forbids to be done, or omitting to do what it commands. In this sense it is nearly synonymous with crime. In a more confined sense it may be considered as having the same meaning with misdemeanor.

OPINION. A judge's statement of the reasons for the judgment which the court pronounces.

ORDINANCE. A permanent rule or conduct of government operating as a local law, applicable to the citizens or inhabitants of the city, town or village which passes it. It differs from a statute in that it is passed by the common council, board of aldermen, or village trustees of a city or town,

while a statute is the written will of congress or a state legislature solemnly expressed in the forms necessary to constitute a law.

PAROLE. The act of granting a prisoner or convict his liberty before the expiration of his sentence and conditioned on his good behavior.

PENDENTE LITE. Pending the suit; while litigation continues.

PLAINTIFF. One who commences a personal action or suit to obtain a remedy for an injury to his rights; opposite defendant.

PRELIMINARY HEARING OR EXAMINATION. The hearing given to a person accused of a crime by a magistrate or judge, to ascertain whether there is evidence to warrant and require the commitment and holding to bail of the person accused.

PRESUMPTION. A rule of law that courts and judges shall draw a particular inference from a particular fact, or from particular evidence, unless and until the truth of such inference is disproved.

An inference, affirmative or disaffirmative, of the truth or falsehood of any proposition or fact drawn by a process of probable reasoning in the absence of actual certainty of its truth or falsehood or until such certainty can be ascertained. Reasonable supposition.

PRINCIPAL. The chief actor in the commission of a crime. Principals are of two kinds; namely: principals in the first degree and principals in the second degree. Principals in the first de-

gree are those who are the actual perpetrators of the fact. Principals in the second degree are those who are present aiding and abetting the commission of the fact.

PROBABLE CAUSE. Probable cause is defined to be a reasonable ground of suspicion supported by circumstances sufficiently strong in themselves to warrant a cautious man in the belief that the person accused is guilty of the offense charged.

PROBATION. The time or period which a person accused of a violation of a public law, and whose sentence is suspended, must pass in order to prove his right to the trust or confidence reposed in him, and conditioned upon his doing or living up to certain requirements placed upon him by the court.

PROCEDURE. The methods of conducting litigation and judicial proceedings.

PROOF. The conviction or persuasion of the mind of a judge or jury, by the exhibition of evidence, of the reality of the fact alleged. Proof is the perfection of evidence.

PRO TEMPORE (*Pro Tem*). For the time being; temporarily.

QUASI (*Latin: almost*). A term used to mark a resemblance, and which supposes a little difference between two objects.

QUESTION. An interrogation put to a witness, requesting him to declare the truth of a certain fact as far as he knows it.

REPUTATION. The opinion generally entertained in regards to the character or condition of a person by those who know him.

REQUISITION. The demand made by the governor of one state on the governor of another for the return of a fugitive from justice.

The surrender of one sovereign state to another, on its demand, of persons charged with the commission of crime within its jurisdiction, that he may be dealt with according to its laws.

RESCUE. The forcibly and knowingly freeing another from arrest or imprisonment. A deliverance of a prisoner from lawful custody by a third person.

RES GESTAE. All the contemporary facts, acts and statements arising out of a crime and which illustrate and define it.

RUMOR. A general public report of certain things, without any certainty as to their truth.

SEIZURE. The act of taking possession of the property of a person condemned by the judgment of a competent tribunal to pay a certain sum of money, by a sheriff, constable, or other officer lawfully authorized thereto, by virtue of an execution, for the purpose of having such property sold according to the law to satisfy the judgment. The seizure is complete as soon as the goods are within the power of the officer.

SELF DEFENSE. The protection of one's person and property from injury.

SENTENCE. A judgment, or judicial declaration made by a judge in a case.

SLANDER. Words written or spoken, which are injurious to the character of another.

STATISTICS. Classified facts respecting the condition in various respects of the people in a state

or respecting any particular class or interest. Systematic compilation of instances for the inference of general truths.

STATUTE. A law established by the act of the legislative power.

SUBORNATION OF PERJURY. The procuring another to commit legal perjury, who in consequence of the persuasion takes the oath to which he has been incited.

SUMMING UP. The argument made by counsel at the close of the evidence. The concise review of the evidence made by a judge in charging the jury.

TERM OF COURT. The period of time during which a court holds a session.

TESTIMONY. The statement by a witness under oath or affirmation. It is said that testimony refers more properly to oral evidence than to documentary.

There is a technical difference between the terms testimony and evidence. Strictly speaking the former relates only to the statement made by a witness under oath or affirmation, while the latter includes all that may be submitted to the jury, whether it be the statement of witnesses or the contents of papers, documents or records, or the inspection of whatever the jury may be permitted to examine and consider during the trial.

TORT. A private wrong or injury. A wrong independent of contract.

TORTFEASOR. A wrong-doer.

TRESPASS. Any unwarranted entry upon the realty of another to the damage thereof.

TRIAL. The examination before a competent tribunal, according to the laws of the land of the facts put in issue in a cause, for the purpose of determining such issue. A trial may be an issue of law, when it is before a judge alone; or of fact, when it is usually before a judge and jury.

TRIBUNAL. The seat of a judge. The place where he administers justice.

TRUE BILL. A bill of indictment returned by a grand jury so indorsed.

The indorsement which the grand jury makes upon a bill of indictment when, having heard the evidence, they are satisfied there is a *prima facie* case against the accused.

TRUTH. Exact accordance with that which is, or has been, or shall be. Conformity to fact or reality. Truth is a character of things, of propositions, or of beliefs. Exactness.

VENUE. The county in which the facts are alleged to have occurred, and from which the jury are to come to try the issue.

VERACITY. Habitual observance of the truth. Truthfulness.

VERDICT. *The unanimous decision made by a jury and reported to the court on the matters lawfully submitted to them in the course of a trial or a cause.*

VERIFY. To conform and substantiate by oath.

VOLUNTARY. Acting, or done of one's own free will without valuable consideration. Intentional.

WAIVER. The relinquishment or refusal to accept of a right. Hence a *Jury Waiver* is a document voluntarily signed by a person charged with a misdemeanor, by which he relinquishes or gives up his right to a trial by a jury, and the judge alone determines the issue. Said jury waiver to be attached to and filed with the complaint or other documents in the case for a permanent record.

WAIVING A HEARING. The voluntary act of a person accused of a crime by which he relinquishes his right to a preliminary hearing and by so doing expresses his desire to be bound over to a grand jury and answer to an indictment before a higher court. No witnesses are heard on either side in the lower court.

WITNESS. *One who testifies to what he knows.* One who testifies under oath to something which he knows at first hand or is called upon to be present at a transaction.

WRONG. An injury; a violation of a right.

In its broad sense, it includes every injury to another, independent of the motive causing the injury.

WRITS, ETC.

A writ is a mandatory precept, issued by the authority and in the name of the sovereign or the state for the purpose of compelling the defendant to do something therein mentioned.

A judicial process by which a person is summoned to appear. A legal instrument to enforce obedience to the orders and sentences of the courts. It is issued by authority of a court, or other competent tribunal, and directed to the sheriff, or other officer, authorized by law to execute the same.

AFFIDAVIT. A statement or declaration reduced to writing and sworn to or affirmed before some officer who has authority to administer an oath, and usually signed by the person making it.

BAIL BOND. A specialty by which the defendant and other persons become bound to the sheriff in a penal sum proportioned to the damages claimed in the action, and which is conditioned for the due appearance of such defendant to answer to the legal process therein described and by which the sheriff has been commanded to arrest him.

BENCH WARRANT. An order issued by or from a bench, for the attachment or arrest of a person. It may issue either in case of contempt, or where an indictment has been found.

CAPIAS. A writ directing the sheriff or other officer to take the person of the defendant into custody.

CAPIAS (*Ad Audiendum Judicium*). A writ, issued in a case of a misdemeanor, after the defendant has been found guilty, to bring him to judgment if he is not present when called.

CAPIAS (*Ad Respondendum*). A writ commanding the officer to whom it is directed to take the body of the defendant and keep the same to answer the plaintiff, etc.

A writ issued for the arrest of a person against whom an indictment for misdemeanor has been found, in order that he may be arraigned.

CAPIAS (*Ad Satisfaciendum*). A writ directed to the sheriff or coroner commanding him to take the person therein named and him safely keep so

that he may have his body in court on the return day of the writ, to satisfy the party who has recovered judgment against him.

CAPIAS (*Pro Fine*). A writ which is issued against the defendant who has been fined and who did not discharge the fine according to the judgment.

CERTIORARI. A writ issued by a superior to an inferior court of record requiring the latter to send in to the former some proceeding therein pending, or the records and proceedings in some case already terminated in cases where the procedure is not according to the course of common law.

CITATION. A writ which is issued out of a court of competent jurisdiction, commanding a person therein named to appear on a certain day and do something therein mentioned, or show cause why he should not.

COMMITMENT. The warrant or order by which a court or magistrate directs a ministerial officer to take a person to prison.

HABEAS CORPUS (*That you have the body*). A writ directed to the person detaining another and commanding him to produce the body of the prisoner at a certain time and place with the day and cause of his caption and detention.

The true use of this writ is to cause a legal inquiry into the cause of imprisonment. The person to whom the writ is directed is required to produce the body of the prisoner forthwith before the court or officer therein named and to show the cause of the caption and detention. If the writ be returned without the body the return must show that the prisoner is not in the possession, custody or power

of the party making the return, or that the prisoner cannot, without serious damage to his life, be produced.

The petition shall state in substance:

1. That the person in whose behalf the writ is applied for is imprisoned or restrained of his liberty, and the place where—naming all the parties if they are known, or describing them if they are not known.

2. The cause or pretense of the restraint, according to the best knowledge and belief of the applicant, and that such person is not committed by virtue of any process, judgment, decree or execution specified in the 21 section of this act.

3. If the commitment or restraint is by virtue of any warrant or writ or process, a copy thereof shall be annexed, or it shall be averred that by reason of such prisoner being removed or concealed before application, a demand of such copy was made, and the legal fees therefor tendered to the officer having such prisoner in his custody, and that such copy was refused.

HABEAS CORPUS (*Ad Respondendum*). A writ which is usually issued in civil cases to remove a person out of one court into that of another in order that he may be sued and answer the action in the latter.

INFORMATION. The act or instrument which contains the depositions of witnesses against the accused. A complaint or accusation exhibited against a person for some criminal offense.

It differs from an indictment in this, that an indictment is found under oath by a grand jury, and an information is only the allegation of the officer or person who exhibits it.

INJUNCTION. A prohibitory writ issued by a court of equity, to restrain one or more of the defendants or parties, or quasi-parties, to a suit or proceeding in equity, from doing or permitting his servants or others who are under his control to do an act which is deemed to be unjust as regards the rights of some party or parties to such suit.

JUDICIAL WRITS. The capias and all other writs subsequent to the original writ not issuing out of chancery, but from the court to which the original was returnable.

JURY WAIVER. The act or instrument by which a defendant waives his right to a trial by jury.

MANDAMUS. This is a high prerogative writ usually issuing out of the highest court of general jurisdiction in a state, in the name of the sovereignty, directed to any natural person, corporation, or inferior court of judicature, within its jurisdiction, requiring them to do some particular thing therein specified and which pertains to their office or duty.

MANDATE. A judicial command or precept issued by a court or magistrate, directing the proper officer to enforce a judgment, sentence, or decree.

MESNE PROCESS. Mesne process is a process which is issued, in a suit, between the original and final process.

MITTIMUS. A precept in writing under the hand and seal of a justice of the peace, or other competent officer, directed to the jailor or keeper of a prison, commanding him to receive and safely keep a person charged with an offense therein named, until he has been delivered by due course of law.

NE EXEAT REPUBLICA. The name of a writ issued by a court of chancery, directed to the sheriff, reciting that the defendant in the case is indebted to the complainant, and that he designs going quickly to parts without the state, to the damage of the complainant, and then commanding him to cause the defendant to give bail in a certain sum that he will not leave the state, without leave of the court and for want of such bail that he, the sheriff, do commit the defendant to prison.

This writ is issued to prevent debtors from escaping from their creditors. The writ of *Ne Exeat* is a summons for the defendant to appear in the proper court and answer the petition or bill and upon the writ being served upon the said defendant, he shall give bond with surety in the sum indorsed on such writ, conditioned that he will not leave the state, without leave of said court and that he will render himself in execution to answer any judgment or decree which the said court may render against him and in default of giving such security he may be committed to jail.

NIHIL DICIT (*Latin*: *He says nothing*). The name of a judgment against a defendant who fails to put in a plea or answer to the plaintiff's declaration by the day assigned.

PROCESS. The means of compelling a defendant to appear in court after suing out the original writ, in a civil and after indictment, in criminal cases.

The method taken by law to compel a compliance with the original writ or command of the court.

QUI TAM ACTION. An action to recover a penalty under a statute which gives part of the penalty to the one bringing the action and the rest to the state or public body.

QUO WARRANTO. The name of a writ commanding the sheriff to summon the defendant to appear before the court to which it is returnable, to show by what authority he holds the office or franchise.

RECOGNIZANCE. An obligation of record, entered into before a court or officer duly authorized for that purpose, with a condition to do some act required by law, which is therein mentioned.

REPRIEVE. The withdrawing of a sentence for an interval of time, which operates in delay of execution.

SCIRE FACIAS. The name of a writ founded on some public record. It is not an original but a judicial writ. The writ presents the plaintiff's whole case, and constitutes the declaration to which the defendant must plead.

SEARCH WARRANT. When complaint is made in writing, verified by affidavit, to any judge or justice of the peace, that personal property (particularly describing the same) has been stolen, embezzled, or fraudulently obtained by false tokens or pretenses, and that the complainant believes that it is concealed in any house or place (particularly describing the same), the judge or justice of the peace, if he is satisfied that there is reasonable cause for such belief, shall issue a warrant to search such house or place for such property.

In Other Cases: Any judge or justice of the peace may, upon like complaint made on oath, issue search-warrants, when satisfied that there is reasonable cause, in the following cases, to wit:

Counterfeit Money. To search for and seize counterfeit or spurious coin, forged bank notes and other forged instruments, or tools, machinery or materials prepared or provided for making either of them.

Obscene Books. To search for and seize books, pamphlets, ballads, printed papers or other things containing obscene language, or obscene prints, pictures, figures or descriptions, manifestly tending to corrupt the morals of youth, and intended to be sold, loaned, circulated or distributed, or to be introduced into any family, school, or place of education.

Lottery Tickets. To search for and seize lottery tickets, or materials for a lottery, unlawfully made, provided or procured, for the purpose of drawing a lottery.

Gaming Implements. To search for and seize gaming apparatus, or implements used, or kept and provided to be used in unlawful gaming, in any gaming house, or in any apartment, building, or place resorted to for the purpose of unlawful gaming.

Contents of Warrant. All such warrants shall be directed to the sheriff or any constable of the county, commanding such officer to search in the day time the house or place where the stolen property or other things for which he is required to search are believed to be concealed (which place and property, or things, to be searched for, shall be particularly designated and described in the war-

rant), and to bring such stolen property or other things, when found, and the person in whose possession they are found, to the judge or justice of the peace, or court having cognizance of the case.

Search in Night Time. If there is satisfactory evidence that any property stolen, embezzled, or obtained by false pretenses, or that any of the other things for which a search warrant may be issued by the provisions of this Act, are kept, concealed, prepared or used in a particular house or place, a warrant may be issued by two judges or justices of the peace, to authorize the search of such house or place in the night time, and to bring the property or things described in the warrant or summons, and the person in whose possession they are found, before either of the judges or justices who issued the warrant, or some other judge or justice of the peace of the county.

Forcible Entrance. The officer may break open any outer or inner door or window of a house, or anything therein, if, after notice of his authority and purpose, he is refused admittance, using no more force than is necessary.

Return Must Specify Property Taken. The return of the officer shall particularly specify the property taken and the place where and the person from whom the property is taken.

Disposal of Property. When an officer, in the execution of a search warrant, finds stolen or embezzled property, or seizes any of the other things for which a search is allowed by this act, all the property and things so seized shall be safely kept by direction of the judge, justice or court, so long as necessary for the purpose of being produced or used as evidence on any trial. As soon as may be

afterwards, all such stolen and embezzled property shall be restored to the owner thereof, and all other things seized by virtue of such warrants shall be burnt or otherwise destroyed, under the direction of the judge, justice or court.

Whenever an officer in executing a search warrant finds property not mentioned in the warrant under circumstances such as to give reasonable grounds to believe that it was stolen, he should take possession of the same.

The officer should not serve the warrant if the goods are described in general terms, without any specifications as to their quality, weight or number, or other definite means by which they could be distinguished. He should not search any other place than the one described in the warrant.

When the name of the person who stole the property is known it is advisable to first secure a warrant for the arrest of such person for larceny, or if the name of the person who received the property is known it is deemed best to first secure a warrant for such person for receiving stolen property.

SUBPOENA (*Ad Testificandum*). A process to cause a witness to appear and give testimony, commanding him to lay aside all pretenses and excuses, and appear before a court or magistrate therein named, at a time therein mentioned, to testify for the party named, under a penalty therein mentioned.

SUBPOENA DUCES TECUM. A writ or process as the above including a clause requiring the witness to bring with him and produce to the court, books, papers, etc., in his possession tending to elucidate the matter in issue.

SUMMONS. The name of a writ commanding the sheriff, or other authorized officer, to notify a party to appear in court to answer to a complaint made against him, and in the said writ specified, on a certain day therein mentioned.

SUPERSEDEAS. The name of a writ containing a command to stay the proceedings at law.

VENIRE FACIAS JURATORES. The name of a writ, directed to the sheriff, commanding him to cause to come from the body of the county, before the court from which it is issued, on some day certain and therein specified, a certain number of qualified citizens, who are to act as jurors in the said court.

WARRANT. A writ issued by a judge or other authorized officer directed to a constable or other proper officer requiring him to arrest a person therein named, charged with committing some offense and to bring him before that judge or some other justice of the peace.

WRIT OF ATTACHMENT. A writ issued by a court of record, commanding the sheriff to bring before it a person who has been guilty of contempt of court, either in neglect or abuse of its process or of subordinate powers. Taking into the custody of the law the person or property of one already before the court.

WRIT OF ERROR. A writ issued out of a court of competent jurisdiction directed to the judge of a court of record in which final judgment has been given, and commanding them, in some cases, themselves to examine the record, in others to send it to another court of appellate jurisdiction,

therein named, to be examined in order that some alleged error in the proceedings may be corrected.

WRIT OF EXECUTION. A writ to put in force the sentence that the law has given.

WRIT OF REPLEVIN. It is a writ issued out of a court of record directing the sheriff or other proper officer of the county, to take the property, describing it as in the affidavit from the possession of the defendant, and deliver the same to the plaintiff and to summon the defendant to answer the plaintiff in the action or in case the property or any part thereof is not found, and delivered to the sheriff to answer the plaintiff for the value of the same.

COURTS

Court. A body in the government to which the public administration of justice is delegated. The place where justice is judicially administered.

Courts are of two kinds, namely: Courts of Record and Courts not of Record. Courts of Record are those whose acts and judicial proceedings are enrolled or recorded for a perpetual memory and testimony and which have the power to fine or imprison for contempt. Error lies to their judgment and they generally possess a seal.

Courts not of Record are those of inferior dignity which have no power to fine or imprison and in which the proceedings are not enrolled or recorded.

CONTEMPT OF COURT. A willful disregard of a court of justice or its rules and orders and disobedience of its process or disturbing the court in its proceedings.

SUPERIOR COURT. A court of intermediate jurisdiction between the inferior courts and those of last resort.

UNITED STATES COURTS. The United States is divided into nine circuits and the circuits into eighty-five districts.

The Seventh Judicial Circuit comprises Indiana, Illinois and Wisconsin.

United States District Courts have jurisdiction of cases where the United States is plaintiff or de-

fendant; of crimes and offenses cognizable under the authority of the United States; of suits relating to debts by or to the United States; of admiralty and marine cases; of suits arising under the postal, patent trade-mark, copyright, immigration, contract labor, national banking, anti-trust laws, etc.

The United States Circuit Court of Appeals have appellate jurisdiction to review final decisions in District Courts of Indiana, Illinois and Wisconsin in all cases other than those which may be taken direct to the United States Supreme Court.

A term of this court shall be held annually at the City of Chicago on the first Tuesday in October, and continue until the first Tuesday of October of the succeeding year. Every term shall be adjourned to such time and places as the court may from time to time designate. Unless otherwise ordered, the court will hold at Chicago three sessions for the hearing of causes during each terms, beginning on the first Tuesdays in October and January, respectfully, and the second Tuesday in April.

All process of this court shall be in the name of the President of the United States, and shall be in like form and tested in the same manner as process of the Supreme Court.

SUPREME COURT OF THE UNITED STATES. *Terms.* Second Monday in January annually at Washington, D. C., and such adjourned or special terms as may be necessary for the dispatch of business.

In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be a party, the Supreme Court shall have original jurisdiction.

All process of the United States Supreme Court shall be in the name of the President of the United States, and shall contain the Christian names as well as the surnames, of the parties.

When process at common law or in equity shall issue against a State, the same shall be served on the governor or chief executive magistrate, and attorney-general of such State.

Process of subpoena, issuing out of this court, in any suit in equity, shall be served on the defendant sixty days before the return of the said process; and if the defendant, on such service of the subpoena, shall not appear on the return day the complainant shall be at liberty to proceed 'ex parte'.

All motions to the court shall be reduced to writing and shall contain a brief statement of the facts and objects of the motion.

All opinions of the court shall be printed and shall be filed with the clerk of the court for preservation.

The following are the Courts in Cook County and State of Illinois (except Federal Courts):

Supreme Court, Appellate Court, Circuit or Superior Court, County Court, Criminal Court, Probate Court, Juvenile Court of Cook County and Municipal Court of Chicago.

SUPREME COURT. For the election of judges of the Supreme Court the State is divided into seven districts.

The term of office is nine years. Terms of court are held in Springfield commencing on the first Tuesday in February, April, June, October and December.

The judgments and decrees of the Supreme Court shall be final and conclusive upon all parties properly before the court.

It shall have jurisdiction of all matters of appeal, or writs of error from the final judgments, orders or decrees of any of the Circuit Courts or the Superior Court of Cook County or County Courts or from the City Courts in any suit or proceeding at law.

APPELLATE COURTS. There are four Appellate Courts in the State of Illinois. One district to consist of Cook County. They are Courts of Record with seals and clerks for each and shall be held by three judges of the Circuit Court. The Supreme Court assigns the judges of the Circuit Court to duty in the Appellate Court, said assignments for a period of three years.

It has jurisdiction of all matters of appeal or writs of error from the final judgments, orders, decrees of any of the Circuit Courts or the Superior Court of Cook County and the Municipal Court of Chicago in any suit or proceeding at law, except in criminal cases and those affecting a franchise or freehold or the validity of a statute.

Decisions are final in cases involving an amount less than $1000, except that an appeal may be granted on a certificate of importance, or a review may be allowed on a writ of certiorari from the Supreme Court.

Terms of Court: First Tuesday in March and October. The Sheriff of the county in which the Appellate Court may be shall attend upon its sittings and perform such duties under the order and direction of such court as are usually performed by such officer and such as said courts may from time to time require.

All process which may be issued by any clerk of court or judge thereof in pursuance of law shall be executed by the officer or person to whom the same shall be directed in any county or place in the state and duly returned in the same manner that process usually is or may be required to be executed.

SUPERIOR AND CIRCUIT COURTS. There are seventeen circuits in the State of Illinois exclusive of Cook County. Six years is the term of office for judges of the Circuit or Superior Court. The Superior Court has concurrent jurisdiction with the Circuit Court in all cases of law and equity and in appeals from inferior courts.

Term of Superior Court begins on the first Monday of every month. Term of Circuit Court begins on the third Monday of every month.

Powers. The several Circuit Courts in this State and the Superior Court of Cook County may make and award such judgments, decrees, orders and injunctions, and shall issue all such writs and process as may be necessary or proper to carry into effect the powers granted to them.

If, at any time after the opening of court for the term, no judge of the court is present at the time and place of holding court the sheriff of the county or his deputy may adjourn court from day to day or upon the written order of the judge from time to time, and shall give notice of such adjournment by making proclamation in the court house and by notification posted on the door of the court house. The sheriff of the county in, and for which such courts are held, or their respective deputies shall attend such courts when in session and perform such duties as are now required of them.

CRIMINAL COURT. The Criminal Court and the judges thereof have the same powers as the Circuit Court. Judges of the Superior and Circuit courts assist in presiding over the Criminal courts. The Criminal Court of Cook County has original jurisdiction of all criminal offenses except such as is conferred upon justices of the peace, and appellate jurisdiction from justices of the peace.

Term of Court: First Monday of every month. The Chief Justice shall exercise the general administrative powers of the Court, and to that end shall order and impanel all grand juries, have charge of general arraignments, calls of the docket, assignment of cases to the several branches, and preparation of trial calendars or lists of cases, and hear all ex-parte applications and all motions except those in cases assigned to other branches. On change of venue or for good cause shown by certificate of the State's Attorney or affidavit of defendant, he shall re-assign, or transfer cases from one branch to another.

At the end of each term the Clerk of the Court shall report to the Chief Justice the number of indictments pending for trial described by offenses and classified by terms when returned; the number of cases in each branch tried remaining undisposed of; the number of defendants on bail and in jail; the number of emergency cases; the status of the trial calendar or list of cases in each branch, and such other information as the Chief Justice may request.

If, in the judgment of the Chief Justice, additional Judges shall at any time be required, he shall present a written request therefor to the Chief Justices of the Circuit and Superior Courts, stating his reasons therefor.

A member of the bar shall be permitted to see a prisoner in the county jail only upon making a certificate in writing, which is to be filed with the jailer, to the effect:

(a) That the relation of attorney and client already exists between the lawyer and the prisoner, or

(b) That the prisoner has sent for the lawyer, or

(c) That the relatives or friends have requested or employed him to represent the prisoner.

Any lawyer who certifies any statement in this regard that is not true shall be deemed guilty of contempt of court.

COUNTY COURT. *Term of office: four years.* The County Court has concurrent jurisdiction with the Circuit Courts in all cases of appeal from justices of the peace and police magistrates and in all common law matters where the value of the property does not exceed $1000, concurrent jurisdiction with courts of record in condemnation and special assessment proceedings; exclusive jurisdiction in voluntary assignments, release of insolvent debtors, trials of the right of property, commitment of the insane and the support of paupers by their relatives; objections to the sale of real estate for non-payment of general or special taxes are heard in the County Court and all inheritance taxes are levied and collected under its direction; the official bonds of most county and township officers and the yearly reports of clerks, justices of the peace and states attorneys and other officers of fees collected are subject to the approval of the Court.

The County Court in Cook County has entire management and control of all the elections in Chicago.

The sheriff or his deputy shall attend the sittings of the County Court of his county, preserve order in the same and execute the legal commands and process thereof.

PROBATE COURT. *The term of the Probate Court is four years.* The Probate Court has original jurisdiction in all matters of probate, settlement of estates of deceased persons, the appointment of guardians and conservators and sett'ement of their accounts, and in all matters relating to apprentices and in cases of sales of real estate of deceased persons for the payment of debts.

Term of Court: First Monday of every month.

JUVENILE COURT OF COOK COUNTY. The Juvenile Court hears and disposes of cases brought before it under an act to regulate the treatment and control of dependent, neglected and delinquent children, known as the Juvenile Court Act. It also administers the law providing for the support of mothers whose husbands are dead or incapacitated for work when such mothers have children under the age of fourteen years. It also hears all truant cases brought before it under the compulsory education law, has jurisdiction in illegitimacy (bastardy) cases, and has jurisdiction over feeble-minded children in whose cases there is an element of dependency or delinquency.

The Judges of the Circuit Court each summer select one of its members to sit in the Juvenile Court one year.

MUNICIPAL COURT OF CHICAGO. *Jurisdiction.* All actions on contracts when the amount claimed by the plaintiff exceeds $1000; all actions for the recovery of personal property when the

value of the property sought to be recovered as claimed by the plaintiff exceeds $1000; all actions for the recovery of damages for the conversion of personal property and actions for the recovery of damages for injuries to personal property when the amount of damages sought to be recovered as claimed by the plaintiff, exclusive of costs, exceeds $1000.

Criminal cases of the grade of felony, except treason and murder, and the cases of Habeas Corpus.

Criminal cases below the grade of felony, except the cases of Habeas Corpus.

Civil actions for the recovery of money only when the amount does not exceed $1000; actions of forcible detainer; actions for the recovery of personal property when the value of the property sought to be recovered does not exceed $1000; actions and proceedings over which justices of the peace formerly had jurisdiction and which are not otherwise provided for in the Municipal Court Act.

Quasi-criminal actions. All proceedings for the prevention of the commission of crimes; all proceedings for the arrest, examination, commitment and bail of persons charged with criminal offenses; all proceedings pertaining to the searches and seizures of personal property by means of search warrants and all bastardy cases.

All criminal cases in which the punishment is by fine or imprisonment otherwise than in the penitentiary, and all criminal cases which the laws in force from time to time may permit to be prosecuted otherwise than on indictment by a grand jury.

All criminal cases in the Municipal Court in which the punishment is by fine or imprisonment otherwise than in the penitentiary, may be prosecuted by information of the Attorney-general or the State's Attorney, or some other person, and when an information is presented by any other person other than the Attorney-general or the State's Attorney, it shall be verified by affidavit of such person that the same is true, or that the same is true as he is informed and believes.

Before an information is filed by any person other than the Attorney-general or State's Attorney one of the judges of the Municipal Court shall examine the information and may examine the person presenting it and satisfy himself that there is probable cause for filing the same and so endorse the same. Every information shall set forth the offense with reasonable certainty, substantially as required in an indictment, and the proceedings thereon shall be the same, as near as may be, as upon indictment in the Criminal Court of Cook County, excepting as is by this act otherwise provided. But criminal cases in which the punishment is by fine only may, in the discretion of the court, be prosecuted by complainant as is provided by law for the prosecution of criminal cases before justices of the peace.

Any person committed for a criminal offense or supposed criminal offense and not admitted to bail and not tried within four months after date of arrest, shall be set at liberty by the court, unless the delay shall happen on the application of the prisoner or unless the court is satisfied that due exertion has been made to procure the evidence on the part of the people and that there is reasonable grounds to believe that such evidence may be pro-

cured within the next sixty days, in which case the court may continue the case for such time as the court may deem necessary, not exceeding said sixty days; PROVIDED, however, that if said person be not tried within said sixty days no further continuance shall be granted and said person shall be set at liberty by the court.

All cases brought to this court shall be given a number. In filing any papers or calling the attention of the court to any case the number must be given.

The writs and process of the city courts shall have the same force and effect and shall be issued and executed in the same manner as the writs and process of the Circuit Courts.

MASTER IN CHANCERY. They are appointed by the Circuit Court and Superior Court of Cook County. Term of office two years.

They have authority to take depositions, both in law and equity, to administer oaths or compel the attendance of witnesses, take acknowledgments of deeds and other instruments in writing and in the absence from the county of the judge to order the issuing of the writs of Habeas Corpus, Ne Exeat, and Injunction, and perform all other duties which pertain to that office.

The duties of the master are generally:

1st. To take accounts and make computations.

2nd. To make inquiries and report facts.

3rd. To perform some special ministerial acts directed by the court, such as the sale of property, settlement of deeds, appointment of new trustees, and the like.

4th. To discharge such duties as are specially charged upon them by statute.

STATE OFFICERS; THEIR DUTIES AND POWERS. The legislative power is vested in a general assembly, consisting of a senate and house of representatives, who are elected by the people. For this purpose the State is divided into fifty-one senatorial districts, each of which elects a senator and three representatives.

Senetors are elected for a term of four years and representatives for two years.

The general assembly makes laws and appropriates money for the government of the State and in general stands in the same relation to the State as congress does to all the States as a whole.

The chief officers of the State and their duties are:

Governor—The governor is vested with the chief executive power of the state. He is the commander in chief of the military and naval forces and may call out the militia to maintain the peace. He is required to inform the general assembly, by message, of the condition of affairs of the state and to recommend needed legislation. He may, by proclamation, call a special session of the assembly or adjourn it in case of disagreement between the two houses. He has power to appoint certain officers and during a recess of the senate may fill vacancies or remove certain officers and may call special elections to fill vacancies in certain offices. He may make requisitions upon the governors of other states for the return of fugitives from justice or offer rewards for the arrest of offenders against the laws of the state. He exercises a general supervision over the penitentiaries and may grant reprieves, commutations and pardons and may restore the rights of citizenship to ex-convicts. He

may approve acts of the legislature and excercise the veto power.

Lieutenant-Governor—This officer is *ex officio* president of the senate and has the power to cast the deciding vote in case of a tie. In case of the death, conviction on impeachment, failure to qualify, resignation, absence from the state or other disability on the part of the governor, the lieutenant-governor succeeds to the office to the close of the term.

Secretary of State—The secretary of state is charged with the safekeeping of the original laws and resolutions of the general assembly; with all books, bills and documents deposited with him by either house, and with all bonds, records and papers filed in his office. He keeps a record of the official acts of the governor; furnishes certified copies of the same to the assembly on request and certified copies of any of the records of his office on the payment of the statutory fees. He countersigns and affixes the seal of the state to all proclamations and commissions issued by the governor; issues licenses for incorporations and certificates of organization to cities and villages and incorporated towns. He has charge of most of the buildings and grounds belonging to the state in Springfield, furnishes supplies for the general assembly and supervises the printing and distribution of all the public documents of the state. He calls the house of representatives to order at the beginning of each general assembly and presides over the same until the election of a speaker. He is the keeper of the great seal of the state and is the custodian and sealer of weights and measures.

Auditor. The auditor is required to keep all the accounts of the state; to audit the accounts of all officers or other persons authorized to receive moneys from the state treasury; to personally sign all warrants drawn on the treasury; to institute suits wherein the state is a plaintiff, and to make a biennial report of the business of his office to the governor. With the governor and treasurer he determines the state tax rate. He exercises a general supervision over state banks, building, loan and homestead associations.

State Treasurer. The state treasurer is custodian of the revenues and public moneys of the state. He must make monthly settlements with the auditor and a biennial report to the governor.

Superintendent of Public Instruction. The superintendent exercises a general supervision over all the public schools of the state. He is the general and legal adviser of the county superintendents and must report biennially to the governor the general condition of all the schools of the state, the amount raised by taxation for school purposes and the manner of its expenditure and the general condition of all the school funds. He may grant state certificates to teachers or cause them to be withheld and must visit charitable institutions which are educational in character.

Attorney-General. It is the duty of the attorney-general to represent the state in the Supreme court in all cases in which the state is interested; to act as counsel for all state officials; to be the legal adviser of the governor and other state officers in matters relating to their official duties, and, on request, to furnish them, as well as either branch

of the general assembly, with written opinions upon constitutional or legal questions.

COOK COUNTY OFFICERS. *Their Powers and Duties.* Cook County is governed by a board of commissioners, ten of whom are elected from the City of Chicago and the other five from the districts outside of Chicago.

The county clerk of Cook County is the clerk of the board of commissioners; he also acts in a like capacity as county comptroller and clerk of the County Court. The County officers and their duties are:

Board of Commissioners—Duties. The commissioners are charged with the management of the county affairs of Cook county, as provided by law, having the same powers as the boards of supervisors in other counties. They make all appropriations and contracts and authorize all expenditures. The president appoints, with the approval of the board, the superintendent of public service and other officers and employes whose election or appointment is not otherwise provided for by law.

County Clerk—Duties. The county clerk is also clerk of the County court, clerk of the county board and *ex officio* comptroller of county financial affairs. As county clerk he issues all marriage licenses, hunting, tavern and other licenses, keeps records of births and deaths, assists at tax sales and makes redemptions from same; receives all tax levies and computes county, state and all city, village, district and other municipal taxes. As clerk of County court he keeps a record of insane, pauper, support, feeble minded, inheritance tax and other cases. Nearly all special assessment cases are recorded in this office. As comptroller he disburses

all salaries and all other county funds and has charge of all deeds, mortgages, contracts, bonds, notes and similar papers belonging to the county, settles all accounts, keeps books showing appropriations and expenditures, makes out report for fiscal year and submits estimates for the expenses of all the departments of the county organization.

County Treasurer—Duties. The county treasurer receives and disburses, pursuant to law, all the revenues and other public moneys belonging to the county. He or his assistant countersigns county orders and renders accounts to the board of commissioners.

Superintendent of Public Service—Duties. Purchases all supplies for the county institutions, advertising for bids at specified times and entering into yearly or quarterly contracts and making tests from time to time of the articles furnished to determine if they are up to contract requirements. Has supervision of all maintenance and rehabilitation of county buildings. Represents owners on all new construction work; advertises for bids and handles all plans and specifications.

State's Attorney—Duties. To begin and prosecute, in courts of record in his county, all criminal and civil actions in which the people of the state or county may be concerned; to prosecute or defend (as the case may be) all civil actions brought by or against his county or any county officer in his official capacity, and all suits which it may become necessary to prosecute or defend to enforce the collection of taxes; to give his opinion to county officers and justices of the peace upon questions of law relating to matters in which the people are concerned.

County Recorder—Duties. The recorder is the keeper of the records, and upon the filing of any instrument in writing in his office entitled to be recorded he must spread the same on the record books provided for that purpose, in the order of the time of filing. He is also the official abstract maker for Cook county.

Registrar of Titles—Duties. The registrar of titles is the responsible administrative head in Cook county of the system of land title registration, commonly known as the Torrens system, whereby the title to land is registered and the people of Cook county guarantee that the title as registered is correct, thus doing away with the necessity of an abstract of title and affording a simple, inexpensive and speedy means for transfer of title to real property.

County Civil Service Commission—Duties. The commissioners examine applicants for positions in the county service. Before an examination is held fourteen days' notice is given by advertisement. The rules are practically the same as those governing other bodies of the kind.

Jury Commission—Duties. The commissioners are required to prepare a list of electors qualified to act as jurors, to select names from such list and place them in a jury box and a grand jury box, and to be present when the names of jurors needed at each term of the court are drawn.

Board of Assessors—Duties. Fix the amount of assessment on all real and personal property according to the rate required by law.

Board of Review—Duties. The board of review takes the place of the old town board in revising and

correcting the findings of the assessors and in hearing and adjusting complaints of property owners. The decisions of the board of review are final.

Sheriff—Duties. The sheriff serves and returns all writs, warrants, processes, orders and decrees legally directed to him. He is the conservator of peace in his county and may arrest offenders on view. He is the keeper of the jail and has the custody of prisoners. It is also his duty to attend the courts of record of the county and obey their orders. The bond of the sheriff is $100,000 approved by circuit court judges.

Coroner—Duties. The coroner is required to take charge of bodies of all persons in the county supposed to have come to their deaths through other than natural causes, to summon a jury of six men and to inquire into the cause of death. If any person is implicated by the inquest as the slayer of the deceased or as an accessory, the coroner shall cause his arrest if not already in custody.

Superintendent of Schools—Duties. He is required to visit each school in his district at least once a year, to see that the teachers are qualified for the performance of their duties and to do all in his power to increase the efficiency and elevate the standards of the school.

County Agent—Duties. The county agent is responsible to the president and board of county commissioners in the carrying out of the plans for the relief of the poor in the county of Cook. He issues monthly rations to poor families found eligible under the law, and provides shoes to needy school children. He furnishes monthly rations to poor families of veteran soldiers, sailors or marines who have served in the rebellion and Spanish-American

war. He undertakes the return of nonresidents and alien paupers to their legal place of residence and the extradition of fathers who have deserted their families when found and warrant is issued for their arrest. He keeps a record of and passes on all medical and institutional cases admitted to the county hospital, the Oak Forest infirmary and the Oak Forest tuberculosis hospital. He furnishes medical services to the needy poor in their homes, through the medium of county physicians. He is the medium whereby blind, deaf and dumb children are sent to the state school at Jacksonville. He investigates all cases recommended for mothers' pensions and supervises the payment of same. He investigates all applications for pensions for the blind and reports on eligibility of applicants to the county board and supervises payment of the pensions. He authorizes the payment of burial expenses of deceased indigent or friendless soldiers, sailors or marines and all contagious cases of the poor. He interests himself in any wrong existing or being perpetrated on families of poor to which his attention is called. He discovers and reports cases of nonsupport by husbands or relatives, desertion, contribution to delinquency or dependency of children to the various courts having jurisdiction.

Bureau of Social Service—Duties. Obtain support for dependents from relatives legally liable for their care and maintenance; investigate all cases of boys between ages of 17 and 21 years held in Criminal court pending trial and present report to trial judge; investigate insane cases heard in County court; investigate all health cases in Cook county outside of city of Chicago, especially emphasizing tuberculosis.

CITY OFFICIALS. *Their Powers and Duties.* The city council consists of fifty alderman, one elected from each of the fifty wards of the city and whose term of office is four years. In a general way their duties are: To enact ordinances for the government of the city, levy and collect taxes, make appropriations, regulate licenses, etc.

Mayor—Duties. The mayor presides over meetings of the city council, approves or vetoes the acts of that body, appoints all nonelective city officials, sees that all the laws and ordinances are faithfully executed, issues and revokes licenses and exercises a general supervision over all the various subordinate departments of the city government.

City Clerk—Duties. The city clerk keeps the corporate seal of the city and all city council documents. He attends the meetings of the council and keeps the journal of its proceedings. Most of the city licenses are issued through his office. He is secretary of the board of trustees of the firemen's pension fund. The city clerk also issues hunters' licenses.

City Treasurer—Duties. The city treasurer is an elective, charter officer of the city of Chicago; he is also school treasurer of the city of Chicago; treasurer of the firemen's pension fund, public school teachers' pension and retirement fund, public school employes' pension fund, public library employes' pension fund, municipal pension fund of Chicago, and house of correction employes' pension fund. The treasurer receives all moneys belonging to the corporation, deposits the funds in bank, keeps separate accounts of each fund or appropriation. He is the custodian of the taxes, license fees and all

other moneys and securities belonging to the various funds of which he is the treasurer. All disbursements of funds are made by the treasurer on warrants signed by officials who are designated by statute.

The legislature, by statutory enactments requires the city treasurer to render reports at stated periods showing the condition of the treasury of the city and the balance of money in the treasury, and to make such additional reports as the city council from time to time shall require. For this reason and for the further purpose of supervising and limiting expenditures to the amounts appropriated by the city council for each object and purpose, the treasurer is by statute required to keep the accounts of all funds or appropriations and of the debits and credits pertaining thereto. The city's books and accounts must be kept open by the treasurer for inspection by the committee on finance and all members of the city council whenever information concerning the city's financial affairs is required.

As school treasurer he is required by the state school law to keep books and accounts concerning the financial affairs of the board of education, including a record of the revenues collected from taxation or received from the state common school fund, etc., and to make reports at stated periods concerning the state of the school treasury and the balance of money in that treasury at the time such reports are made. His books and accounts concerning school matters must be kept open for inspection by the members of the board of education whenever information concerning the financial affairs of the board of education is required. His bond at the present time is fixed at $2,000,000.

Corporation Counsel. (Includes City Attorney and Prosecuting Attorney)—Duties. The corporation counsel superintends and with the assistance of the prosecuting and city attorneys conducts all the law business of the city; draws the leases, deeds, and other papers connected with the finance department and all contracts for any of the other departments of the corporation; drafts such ordinances as may be required of him by the city council or its committees and furnishes written legal opinions upon subjects submitted to him by the mayor or the city council or any department of the city government.

City Comptroller—Duties. The comptroller is at the head of the department of finance, of which the treasurer and collector are also members. He is charged with a general supervision over all the officers of the city who take in or pay out city money. He is the fiscal agent of the city and as such has charge of deeds, mortgages, contracts, etc. He audits and settles claims, keeps a record of persons committed to the house of correction, with fines, etc.; keeps books relating to appropriations, makes the annual estimates, signs warrants upon the city treasury, etc.

Department of Public Works—Duties. The commissioner of public works is the head of the department of public works, which embraces the bureaus of engineering, streets, sewers, water, maps and plats, compensation, architecture, city hall, rivers and harbors, waste disposal, parks, playgrounds and bathing beaches. He is also chairman of the harbor board, which has jurisdiction over the municipal pier. The commissioner of public works has special charge and superintendence, sub-

ject to the ordinances of the city, of all streets, alleys, highways, walks, bridges, viaducts, docks, wharves, public places, public landings, public grounds markets and market places and public buildings belonging to the city; of all works for the deepening and widening or dredging of the Chicago river and its branches, and of the harbor of said city; of all sewers and works pertaining thereto; and of the waterworks and collection of water rates and fees for the use of water or for permits issued in connection with the waterworks system, and of all sewerage permits and licenses; the awarding and execution of all contracts for any work or public improvement not done by special assessment, and the letting of all contracts for coal for use of any department of the city.

Board of Local Improvements—Duties. The board of local improvements is that part of the city of Chicgo government created by law for the purpose of making local improvements, the cost of which is paid by special assessments or direct taxation on the property directly and indirectly benefited. Among such local public improvements are sewers, house drains, water mains, water service pipes, sidewalks, street and alley paving and the taking of private property by condemnation proceedings for the purpose of opening, extending or widening public highways.

City Collector—Duties. The city collector collects all license fees, fees for inspections and permits, compensation for franchises and vehicle tax; collects on special assessment warrants; transmits such payments to city treasurer daily, receipts for which are filed with the city comptroller.

City Engineer—Duties. The city engineer has charge of the construction, maintenance and operation of bridges, viaducts and waterworks and performs all such services for the commissioner of public works as require the skill and experience of a civil engineer.

Department of Public Service—Duties. The department requires all public utilities under its control to comply with the provisions of their grants. It investigates such utilities and gathers information concerning them; receives, investigates and adjusts complaints regarding service, rates, products and other matters relating to the health, comfort, safety and convenience of the public, as affected by such utilities; conducts tests of gas and electric meters and makes reports to the city council. The supervisor of transportation handles all matters relating to service and rates of street car lines, surface and elevated, and all transportation complaints. The supervisor of the gas bureau handles the testing of gas meters and matters relating to the gas service, rates and enforcement of laws. The supervisor of the telephone bureau looks after all matters relating to the telephone service and rates. The supervisor of the electric bureau looks after the electric light and power service. The supervisor of the engineering bureau makes certain property valuations and prepares maps, charts, utility statistics and engineering data for the other bureaus.

Health Department—Duties. The commissioner of health and his assistants enforce state laws and city ordinances relating to sanitation and cause all nuisances to be promptly abated. They keep records of deaths and other vital statistics, investigate all cases of contagious diseases and take all necessary

steps to prevent their spread, such as providing for vaccination, disinfection, etc. The city physician attends to all cases in the police stations requiring medical attention.

Bureau of Streets—Duties. The superintendent of streets performs such duties as are required of him by the commissioner of public works or the ordinances of the city. He has special charge of the streets, side walks and public ways of the city and of the improvement and repair thereof, except where such repair or improvement is to be paid for by special assessment. The first assistant superintendent performs such duties as may be required of him by the commisioner of public works, the superintendent of streets or the city ordinances, and acts as superintendent in the latter's absence. The second assistant superintendent has charge of the cleaning of the streets and alleys of the city, including the removal and disposition of garbage, litter, dirt, ashes, offal and other materials. He also sees that the ordinances relating to garbage, etc., are enforced and that violations thereof are reported for prosecution. The third assistant has charge of the improvement and repairs of the streets and alleys, except where such repairs or improvements are to be paid for by special assessment.

Bureau of Sewers—Duties. The superintendent has charge of the maintenance of sewers, including cleaning and repairing; issuance of permits for all connections; approves plans for all new sewers and gives final inspection and approval.

Election Commissioners—Duties. The commissioners conduct all regular, special and primary elections within Chicago, town of Cicero and vil-

lage of Summit; determine precinct boundaries, select polling places, appoint the judges and clerks, furnish booths, ballot boxes, poll books, tally sheets and all other necessary paraphernalia with which to properly conduct elections.

Civil Service Commission—Duties. The commissioners classify offices and places in the city service, fix standards of duties, salaries and tests, examine applicants for employment in such offices and places, certify to the heads of departments as required the names of those standing highest on the list of eligibles, investigate charges against employes in the classified service, remove employes for cause and check payments. Two weeks' notice by advertisement of the time and place of holding examinations is given.

Building Commissioner—Duties. The building commissioner sees to it that new buildings are put up in accordance with the city ordinances, that old existing buildings are brought into compliance with the revised building ordinances, that fire escapes are provided where needed, that unsafe structures are demolished or repaired, that safe exits are provided in halls, theaters and all other places of amusement; has charge of the inspection of buildings, theaters and signboards and the semi-annual inspection of all the theaters in Chicago.

Bureau of Rivers and Harbors. Members of Board Ex Officio. Commissioner of public works, chairman; city comptroller, city engineer, harbor master, superintendent bureau of compensation, chairman council committee on harbors, wharves and bridges, chairman council committee on compensation.

Duties. Members of the board serve without compensation other than their salaries as city officials. They have the management and control of all matters pertaining to the municipal pier in harbor district No. 1 and all other harbor utilities and appurtenances when they are ready to use. The board keeps books of accounts of such utilities and makes an annual financial report to the city council. It is required to promote the fullest use and development of the pier and other harbor utilities.

Superintendent of Piers—Duties. The superintendent of piers is appointed under the rules of the civil service board. He is under the supervision and control of the harbor board and performs such duties as the board may prescribe. As his title implies, he carries out the rules of the board relating to the operation of the municipal pier or piers.

Commissioner of Gas and Electricity. The commissioner of gas and electricity has charge of the construction, operation and maintenance of the municipal street lighting system, the fire alarm system and police signal system, the inspection of all electrical installations, the registration of electricians and the examination of moving picture operators.

Bureau of Fire Prevention and Public Safety. Duties. The chief of the fire prevention and public safety shall have the power and it shall be his duty to enforce the provisions of all ordinances of the city of Chicago which may tend to prevent the starting or spreading of fires or disastrous results in case of fires.

Department of Public Welfare. Duties. This department, established in March, 1914, is a clear-

ing house for information on subjects of general charitable relief, institutional care, etc. It directs inquiries to the proper agency, collects information relating to working conditions and unemployment; gives practical relief to the unemployed; obtains information on actual living conditions; facilities for recreation; cause of vagrancy, crime and poverty; makes recommendation to the council for ordinances to secure the practical betterment of such conditions. A department of gardening has been established to operate municipal gardens in different congested sections of the city, giving an opportunity for those in need to help themselves by their own work.

OBJECT. A police department is established and maintained for the following purposes:

1. *Preservation of the peace.*
2. *Enforcement of laws and ordinances.*
3. *Protection of life and property.*
4. *Prevention and detection of crime.*
5. *Arrest and prosecution of violators of laws and ordinances.*

GENERAL KNOWLEDGE A POLICE OFFICER SHOULD HAVE:

1. *The orders, rules and regulations of the Police Department.*
2. *The keeping of records and making out of reports.*
3. *Traffic rules and regulations and the handling of traffic.*
4. *The city ordinances applicable to the Police Department.*
5. *State statutes applicable to the Police Department.*

6. *Procedure in court and at coroners inquests.*
7. *The preparation and giving of testimony.*
8. *First aid to the injured and general sanitary and health regulations.*
9. *The handling and nomenclature of a revolver and the use of same.*

REPORTS. *Robbery.* When reporting a robbery after the customary heading and reference number has been given, state as follows:

Name, address and telephone number of complainant.

Time and place of occurrence.

Number of men strong armed or held up by, number carrying revolvers.

Articles taken and total value.

Amount of money taken.

General total.

Officer on post.

Officers assigned.

If complainant was able to give a description of the men robbing him and can identify them so state, viz.: Can Identify. If not: Cannot Identify.

Burglary. When reporting a burglary, after the customary heading and reference number has been given, state as follows:

Name, address and telephone number of complainant.

Time of occurrence.

Character of building in which crime occurred, and address of same.

Manner of entrance.

Articles taken and total value.

Amount of currency taken.

General total.

Officer on post.
Officers assigned.

Larceny. After customary heading and reference number has been given state as follows:

Name, address and telephone number of complainant.
Time and place of occurrence.
Articles taken and value.
Amount of currency taken.
General total.
Officer on post.
Officers assigned.

OFFICER'S MEMORANDA FOR BURGLARY AND LARCENY CASES. When property lost by burglary or larceny is reported it should be described as follows:

(1) Watches should head the list, giving size, kind of movement, and numbers if possible, and initials or engraving, if any. Value.

(2) Jewelry, set with diamonds, give weight of stones and number in each article. Value.

(3) Jewelry, set with stones other than diamonds, give size and number of stones in each article. Value.

(4) Men's clothing, color and kind of cloth, style and maker's name, buttons, and size. Value.

(5) Women's clothing, size, color, make, material, maker's name, buttons, trimming. Value.

(6) Currency. Amount.

ACCIDENT REPORTS.

The date of report.
Name of the injured.
Address of the injured.

Age, nativity, and occupation.
Civic state, that is married or single.
Time of accident.
Date of accident.
Place of occurrence.
Nature and extent of injury.
Where taken and by whom.
Doctor in attendance.
Cause of accident.
Names of witnesses.
Telephone numbers of injured and witnesses.
If on street, then condition of street.
If at night, condition of lights.

In reporting occurrence give all necessary particulars as briefly as possible; care should be taken to omit no essential point.

In reporting arrests do so as follows:

Arrests	*Charge*	*Number*
On view,	Robbery	2
	Larceny	8
	2655	7
Warrant,	Larceny	3
	Con. to Del.	2
	2655	2
	Total	24

In cases of important arrests where special reports are forwarded, the arrests specially reported on should be shown in the daily report with note, "*See Letter*" after the report on same.

REPORTS ON PERSONS MISSING OR PERSONS WANTED. After giving the name, age, height, build, clothing, etc., a general descrip-

tion should contain the following: Sex, color, nativity, color of eyes, hair and mustache.

Physical peculiarities or deformities: Scars, moles, fingers or teeth missing, baldness, tattoo marks.

Nervousness or unusual habits.

In descriptions of unconscious persons or dead bodies: Contents of clothing, letters, names in memorandum books or on cards, initials on handkerchiefs or rings, old coins, exact amount of money, watch numbers and make.

Clothing: color and pattern of garments, name of tailor, laundry marks, initials on underwear, size and make of hat, shoes and collar.

FACTS NECESSARY TO OBTAIN CONVICTION FOR VIOLATION OF CITY ORDINANCE.

(a) Time and place of violation.

(b) That offense charged is a violation covered by ordinance.

(c) That violation had been committed by defendant in manner and form complained of, with the evidence thereto.

BUSINESS OR OCCUPATIONS THAT REQUIRE A PERMIT FROM HEALTH DEPARTMENT BEFORE PROCURING LICENSE:

Bakeries.
Bathing Beaches.
Bottlers.
Cigar Makers.
Cows—Keeping of.
Hospitals.
Ice Dealers.

Manure Receptacles.
Medical Dispensaries.
Milk Dealers.
Milk Wagons.
Natatoriums and Swimming Pools.
Nurseries.
Picnic Parks.
Rendering Tanks.
Restaurants.
Scavengers.
Slaughtering and Rendering.
Soap Factories.
Tanneries.
Theatre and Dance Halls.
Undertakers.
Work Shops (clothing).

THERE ARE TWO DISTINCT METHODS OF TAKING AND RECORDING IDENTIFICATION. *First, the Bertillon System,* which includes:

(a) The measurement of defined portions of the body.

(b) The photograph—front and profile.

(c) The description.

(d) The anatomical, which includes peculiarities such as the loss of a finger, club foot, noticeable scars or other physical defects or peculiarities.

Second. The Finger Print System, which includes the taking of prints of the five fingers of each hand and the classification thereof according to peculiarities.

The means generally used for developing are graphite and charcoal on light subjects; French chalk and mercury on dark objects, and the use of

a magnifying glass for examining same. A finger print is where the ridges of the finger in the impression may be seen and developed; a finger mark is where the outline of the finger is shown but the ridges are not clear, or the fingers may be moved while in contact, causing a smudge or blur.

CONCERNING CRIMINAL INFORMATION. A very comprehensive index is kept at the Bureau of Records of all persons wanted for committing crimes in this city and elsewhere. Members of the Department do not avail themselves of these records as much as they should. Where officers are looking for any particular person on suspicion of having committed a crime they should communicate this information to the commanding officer and the Bureau of Records. In this way a full and complete record will be available to other members of the Department who might have a better opportunity of arresting the person wanted than the officer who has him under suspicion. The name, address and description of the person or persons wanted should be given, together with all information concerning the crime. Every officer should have the interest of the public at heart and not keep any information secret that would procure the arrest of criminals.

REGARDING ARRESTS. An arrest may be made by a private person without warrant, for a criminal offense committed or attempted in his presence, and by an officer, when a criminal offense has in fact been committed, and he has reasonable ground for believing that the person about to be arrested has committed it. An arrest may be made on any day or at any time of the day or night. The

outer doors or windows of the dwelling house of the offender may be broken open in the day or night time to make an arrest on a criminal warrant in all cases. There should first be a demand for admittance and a statement of the object of it before breaking. If, an officer acting in good faith under a regular criminal warrant break into the house of a third person to arrest the supposed offender, and does not find him there he shall be protected. If an officer has entered a house and the doors are locked on him he may break them to obtain his liberty. If an officer, having legal process be resisted and assaulted he is justified if he kill the assailant. Or if an officer, while attempting to arrest a person charged with a felony, is resisted in the endeavor to rescue the person accused, he may kill him if necessary to prevent injury from such resistance and the consequent escape of the accused. If no resistance is given but an attempt to escape only the officer has a right to kill, to prevent the escape.

Arrests Without Warrant for Violation of City Ordinances. A police officer may make an arrest for a violation of a city ordinance, which violation is a breach of the peace, where the offense is committed in the officer's presence. A police officer may make an arrest for violation of a city ordinance where it is committed in the officer's presence where the continuation of such violation will presently result in a breach of the peace and there is a reasonable probability that such offense will continue unless an arrest is made.

A police officer may make an arrest where the violation of the city ordinance constitutes a breach of the peace, or its violation will presently consti-

tute such breach and there is reasonable probability that such offense will continue unless the arrest is made, where the offender is found by a reputable citizen committing the act, and citizen will proceed with the officer to make complaint in the regular form.

Even though the police officer sees the offense committed or any other person finds the offender in the act of committing the offense, the right to arrest without warrant does not exist except in case where the offense has been freshly committed and the offender is in flight, or there is reasonable danger of escape unless arrested at once. Where a private citizen induces a police officer to make an arrest, for alleged violation of a city ordinance, such citizen assumes responsibility if the charge is not sustained. The police officer is, in such case, relieved of responsibility if the circumstances reasonably and apparently show that the alleged offender was found by a reputable citizen in the act of committing a breach and that an arrest was necessary to prevent further breaches or to prevent escape.

Persons may and should be arrested who are found prowling around at night, who are unable to give a satisfactory explanation of their conduct under such circumstances, or who have in their possession dangerous weapons or instruments ordinarily used by house-breakers. An officer should act when any reputable citizen accuses another of a felony or serious crime or even has reasonable grounds for believing that another has committed one, if the suspicion appears to the officer to be well founded and providing the person so charging or suspecting go with the officer to the station with the person accused and file complaint against such per-

son. In all cases without warrant, a complaint should be filed as soon as possible after the arrest.

REGARDING MURDER CASES. When a dead body is found in a hotel, rooming house, flat, basement, barn, or other building under circumstances indicating violence, the first officer on the scene is to allow no one to remove or in any way disturb the body or the conditions of the room, basement, barn or other building in which the crime is believed to have been committed. He should also see that the furniture or other articles therein are not handled; in fact that no one be allowed to enter.

The officer will at once notify his station of the fact of a possible murder having been committed. The station will at once notify the deputy superintendent and that officer will notify the finger print man, the photographer and draftsman, the coroner's office, the state's attorney and a stenographer, who is to be present to make notes for the officers regarding things found on the body, in, around and about the room or place where the body is found, and everything of interest that might be noticed by anyone working on the case who is present at the time, so that a complete history may be obtained for future reference, thus obviating the necessity of depending upon the memory of officers.

Persons who are allowed to go in to the scene of the murder, and in the following order, are: The finger print man; the photographer; the coroner and his physician; the officers assigned to case; the state's attorney; the draftsman; stenographer.

If a body is found outside of a building it may be removed, but the officer on the scene must pre-

vent disturbance of the surrounding conditions until the above mentioned county and city officials arrive and complete their operations. Care must be taken by the first officer on the scene to be reasonaby sure that death has occurred under suspicious circumstances, or a murderous assault has been committed, before notifying the deputy superintendent that a crime has actually been committed.

Where a murderous assault has been committed, and he finds the person in a dying condition, or believed to be in a dying condition, under circumstances above described the body may be removed with as little disturbance to the surrounding conditions as possible and the deputy superintendent notified, the premises being protected as above required.

The first officer on the scene of a murder will note the exact time that he arrives there.

The lieutenant will note the time he is informed, and by whom, and will notify the deputy superintendent's office, making a note of the time and name of the person to whom he transmits the message and enter the same in the commanding officer's special order book.

The first step by the officers working on case is the identification of the body. This should be done by some relative, if possible, or by some other person to whom the deceased was well known. Photographs should be secured, if possible, of person committing the crime, and also names and addresses of all relatives and friends. In murder cases the defendant frequently contends and attempts to prove that the revolver or other weapon with which the fatal wounds were inflicted was owned by the deceased. Therefore the officers who procure the

weapon with which the crime was committed must take special precaution to be in a position to prove the ownership of the weapon and the manner in which same was used in the crime. The date, time and place of finding the weapon and the circumstances under which the same was found, should be noted as soon as possible after the finding of the same, in a memorandum book and such book carefully kept for future reference. The weapon should also be carefully marked for identification and if any person can identify the same as being the property of the prisoner or victim, the statement of such person should be taken and preserved for use at the time. *See also under heading "Murder" proof necessary.*

PROCEEDINGS IN EXTRADITION CASES. *Fugitive Wanted in Chicago.* Any person who commits a felony or misdemeanor and flees from the City of Chicago, is subject to arrest at any place in the United States of America, on request of the Superintendent of Police. Where a fugitive escapes to a foreign country the treaty existing between that country and the United States of America governs the subject.

Whenever possible an indictment should be secured against a fugitive from justice, but where this is not practicable, a complaint should be filed against him and a warrant secured. When an officer is interested in the apprehension of a fugitive from justice, he shall, through his commanding officer, request the Chief Clerk of the Detective Bureau to send letters or telegrams, according to the circumstances of the same, to Chiefs of Police, City Marshals, or Sheriffs where the fugitive is supposed to have gone, requesting the apprehension

of such fugitive. When the fugitive is arrested, the officer who is to be the messenger in the case shall apply to the chief clerk of the Detective bureau to prepare the necessary requisition papers. If the fugitive has been indicted, two certified and exemplified copies of the indictment shall be procured. These shall be certified by the clerk of the Criminal Court under the seal of the court. One copy of which is to be attached to the petition.

If not indicted, two certified and exemplified copies of warrant and complaint each shall be brought to the Chief Clerk of the Detective Bureau, together with all witnesses, so that he may secure their affidavits. These copies of warrant and complaint shall be certified by the clerk of the Court, under the seal of the Court where the warrant was issued. One copy of warrant and complaint to be attached to petition.

The petition for requisition shall be first signed by the complaining witness, then by the State's Attorney and the County judge. The Notary Public's acknowledgment thereto shall be certified by the County Clerk.

When the petition for requisition has been completed it, with other documents, will be forwarded by said Clerk of the Detective Bureau to the Governor of Illinois, and also the fee, if any, required in other States. The requisition, if approved by the Governor, will be forwarded by him to the Governor of the State where the fugitive is located, and by the latter governor sent to the messenger in the city where the fugitive is held.

Complainants have to defray the expense of returning fugitives. In special cases when complainants are unable to advance the necessary expenses.

and the return of the fugitive is of great importance to the department, report of circumstances shall be submitted to the superintendent.

In cases of felony the State of Illinois refunds certain expenses after the fugitive is returned and lodged in the County Jail, but not in cases of misdemeanor.

Where requisition papers have been forwarded, the officer or messenger shall not return to Chicago with the fugitive before receipt of the Governor's warrant, unless for some good reason, report of which shall be made in writing to his commanding officer on his return.

When a fugitive is brought back to Chicago without requisition papers, a fugitive waiver or agreement to return freely and voluntarily to answer to the charge for which he was apprehended, shall be secured from him, and signed before witnesses. On return of messenger with fugitive on requisition papers, he shall report to the Chief Clerk of the Detective Bureau, after the fugitive is lodged in the County Jail (showing jailer's receipt for prisoner), so that he may make out and forward to the Governor the messenger's expense account.

STATUTE COVERING FUGITIVE WANTED. Whenever the executive of this state shall demand a fugitive from justice from the executive of any other state, he shall issue his warrant under the seal of the state, to some messenger, commanding him to receive the said fugitive and convey him to the sheriff of the proper county where the offense was committed.

The manner of making application to the governor of this state for a requisition for the return

of a fugitive from justice shall be by petition, in which shall be stated the name of the fugitive, the crime charged in the words of the statute defining the crime; the county in which the crime is alleged to have been committed, the time, as nearly as may be, when the fugitive fled, giving facts and circumstances tending to show the whereabouts of the fugitive at the time of the application. Such petition shall be verified by affidavit, and have indorsed thereon the certificate of the judge of the county court of the county in which the crime is alleged to have been committed, that the ends of justice require the return of such fugitive. Such petition shall be filed by the governor in the office of the secretary of state, to remain on record in that office.

When the application is based upon an indictment found, a copy of the indictment, certified by the clerk under the seal of the court in which the indictment was found, shall be attached to the petition.

EXTRADITION OF INSANE PERSONS.

SECT. 1. Be it enacted by the People of the State of Illinois, represented in the General assembly: That this Act may be cited as the uniform Act for the extradition of persons of unsound mind.

2. The terms "flight" and "fled" as used in this Act shall be construed to mean any voluntary or involuntary departure from the jurisdiction of the court where the proceedings hereinafter mentioned may have been instituted and are still pending, with the effect of avoiding, impeding, or delaying the action of the court in which such proceedings may have been instituted or be pending, or any such departure from the state where the person demanded

then was, if he then was under detention by law as a person of unsound mind and subject to detention.

The word "state" whenever used in this Act shall include states, territories, districts and insular and other possessions of the United States. As applied to a request to return any person within the purview of this Act to or from the District of Columbia, the words "executive authority," "Governor" and "Chief Magistrate" respectfully shall include a justice of the Supreme Court of the District of Columbia and other authority.

3. A person alleged to be of unsound mind found in this state, who has fled from another state, in which at the time of his flight:

(a) he was under detention by law in a hospital, asylum or other institution for the insane as a person of unsound mind; or

(b) he had been theretofore determined by legal proceedings to be of unsound mind, the finding being unreversed and in full force and effect, and the control of his person having been acquired by a court of competent jurisdiction of the state from which he fled; or

(c) he was subject to detention in such state, being then his domicile (personal service having been made) based on legal proceedings there pending to have him declared of unsound mind;

shall, on demand of the executive authority of the state from which he fled, be delivered up to be removed thereto.

4. Whenever the executive authority of any state demands of the executive authority of this State, any fugitive within the purview of section 3

and produces a copy of the commitment, decree or other judicial process and proceedings, certified as authentic by the Governor or chief magistrate of the state whence the person so charged has fled, with an affidavit made before a proper officer showing the person to be a fugitive, it shall be the duty of the executive authority of this State to cause him to be apprehended, and secured, if found in this State, and to cause immediate notice of the apprehension to be given to the executive authority making such demand or to the agent of such authority appointed to receive the fugitive, and to cause the fugitive to be delivered to such agent when he shall appear. If no such agent appears within thirty days from the time of the apprehension, the fugitive may be discharged. All costs and expenses incurred in the apprehending, securing, maintaining and transmitting such fugitive to the state making such demand, shall be paid by such state. Any agent so appointed who receives the fugitive into his custody shall be empowered to transmit him to the state from which he has fled. The executive authority of this State is hereby vested with the power, on the application of any person interested, to demand the return to this State of any fugitive within the purview of this Act.

5. Any proceedings under this act shall be begun within one year after the flight referred to in this Act.

6. This Act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

7. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

FUGITIVE FROM JUSTICE IN OTHER CITIES ARRESTED IN CHICAGO. Any person who has committed a crime in other States or in other counties of this State outside Cook County, or in foreign countries, and seeks refuge in the City of Chicago, may be arrested on request of the police authorities or sheriff of the city or county in which the crime was committed. When there is sufficient time in cases of this kind, and full particulars are not given, before the arrest is made, it should be ascertained whether the fugitive is wanted on warrant or indictment, the nature of the crime, date committed, name of complainant, and the complete details, so that a fugitive complaint may be filed against him or her, and a fugitive warrant secured, after bond for court costs has been approved.

Blank fugitive warrants, complaints and bonds may be procured from the Chief Clerk of the Detective Bureau. Where the fugitive is coming to Chicago on a train, or under other circumstances not permitting any delay, the fugitive shall be apprehended and the information secured as speedily thereafter as possible, so that complaint may be filed without delay.

Where the fugitive is wanted in a foreign country, the complaint should be filed before a United States Commissioner, or in the United States courts.

When a fugitive voluntarily agrees to return to the place where the crime was committed, without the formality of the Governor's warrant, he should be required to sign a fugitive waiver in duplicate on blanks provided for that purpose, in the presence of witnesses, before he is turned over to the officer. One waiver to be placed on file by the official who

delivers the fugitive and the other to be given to the official who received him.

In cases where the Governor's warrant had been procured for a fugitive arrested in this city, it should be served upon the fugitive, who shall then be turned over to the messenger, and due return made on the back of said warrant, as in the case of other warrants, after which the warrant shall be forwarded to the superintendent of police so that it may be transmitted to the governor of Illinois.

OFFICERS ACCOSTING SUSPICIOUS CHARACTERS.

Police officers when accosting a man on the street whom they have reason to believe is a dangerous character should exercise the greatest caution for their own safety and always be prepared for any emergency.

An officer in citizen's clothes should pull back his coat and display his star so that any person whom he accosts may know without question that he is an officer. When an officer in citizen's clothes or in uniform accosts any suspicious character who has one or both hands in his pockets he should have his hand on his revolver and command the man to turn around and take his hand or hands from his pockets and hold them above his head. He should then search him carefully for concealed weapons. If he refuses to obey orders the officer should draw his revolver and be prepared to use it if absolutely necessary. While doing this he should keep a careful watch on the hand or hands of the person to see that he does not draw a gun or other weapon from his pockets. The officer should endeavor to get as close as possible to the right hand

of the person when he tells him to turn around so as to be prepared to grab his hand should he attempt to draw a revolver from his pocket.

Officers should never carelessly expose themselves to the chance of a desperate man shooting through his pocket.

When searching a man extreme care should be used to see that he has no revolver concealed in his sleeves, or in a holster under his arm, or under front part of vest or trousers from which he can secure it for quick action.

Circumstances might require different course of action but officers are expected to use good judgment and discretion in all cases. They should have their revolver in good working condition and ready for instant use to protect themselves from desperate characters should the occasion warrant.

GENERAL RULES FOR ALL MEMBERS REGARDLESS OF RANK.

It shall be the duty of all members of the department to acquaint themselves with the rules and regulations of the department and strictly conform thereto.

No member of the department shall publish or cause to be published directly or indirectly, or communicate by interview, private letters or otherwise, except when required by these rules or permitted to do so by the superintendent of police any information in regard to the department or any act done or contemplated to be done by any member thereof.

All members of the active force on duty will appear in complete uniform except those assigned to detective duty or when permitted or ordered by the superintendent of police. All members are

required to be always neat and clean in their persons and habits; to wear the prescribed uniform in the prescribed manner; their equipment always ready for use; to be polite in their dealings with citizens, and alert in the discharge of their duties.

It is the duty of all subordinate to offer, first, the prescribed salute and of the superior to return the same. Men in ranks not to salute unless ordered to do so by the officer in command. Upon entering the office of a superior above the rank of sergeant the subordinate will uncover and stand at attention unless otherwise ordered.

Every member of the active force shall give his name and star number to all who may have occasion to inquire.

Members of the active force are considered as always on duty and must be prepared to respond immediately, day or night, on notice that their services are required.

Each member of the department is expressly prohibited from following any other calling or occupation, or being engaged in any other business.

All applications for vacation or leave of absence shall be made to the superintendent upon blanks provided for that purpose with the recommendation of the captain of the district or head of the bureau where the member making same is assigned.

No member of the active force will be allowed to receive a present from other members of the department or from any citizens, and no subscriptions, solicitation for subscription or contribution shall be made by a member for any present or reward intended for another member of the department unless authorized by the superintendent in writing.

No reward, compensation or present shall be paid to or accepted by any member of the department for the apprehension of any criminal, escaped or paroled prisoner, or for the performance of any other police duty except upon the express permission of the superintendent of police.

The term "superior officer" means an officer of the active force superior in rank to the one named. The term "commanding officer" means the officer for the time being in command of the department or of a division, district or precinct.

Officers having under their command a number of men shall, when proceeding or returning from post, march them in military order.

When two or more members of the department are on detached duty together the one of highest rank or the patrolman longest on the force is in command and responsible.

Men who are injured in the line of duty shall immediately report the same to their commanding officers who in turn shall report the case to the superintendent and the bureau of records.

Outsiders are not permitted at stations. No person not on business or connected with the department shall be permitted to remain in a police station, bureau or barn without the express permission of the officer in charge who shall be held responsible for his presence.

Commanding officers and heads of bureaus shall be held strictly responsible for the care and custody of all property of the City of Chicago at or connected with their respective stations and bureaus.

POLICE OFFICERS SHOULD REMEMBER TO:

Be Accurate; in reports, testimony and evidence; not to exaggerate or detract from the facts as he knows or saw them.

Be Courteous; towards other members of the department and the public; police officers are servants of the people and courtesy tends towards respect.

Be Deliberate; do not jump at conclusions; a police officer is boss of any situation or emergency that arises on his post; do not hesitate to seek advice from superior or commanding officer. That is part of his duty.

Be Prompt; in investigating complaints and reporting same; promptness in small matters requiring police attention may avert a serious crime or catastrophe; be prompt in court attendance, coroner's inquests and all places where police attendance is required.

Keep revolver in good condition and ready for any emergency.

RULES OF FIRST AID TO THE INJURED.

First a physician should be sent for and the rules herein given are for the purpose of enabling an officer to ease the injured person or save his life pending arrival of a physican. Crowds should be kept back so that the injured person may have plenty of air. Tight clothing should be removed or loosened. A flushed face is a symptom of fever, apoplexy, epilepsy or intoxication and a pale face indicates poor circulation or faintness. If a person vomits, the head should be turned so that the matter may be easily emitted from the mouth. All wounds should be kept free from dirt and no stimulant given.

Bleeding. If the blood is bright red and spurts in jets, an artery has been pierced and aid must be given at once or the person will die: Tie a handkerchief or cloth closely around the limb between the wound and the heart; place a stick or other suitable article between the bandage and the skin and twist the same tight until the bleeding stops, keeping it in such position until a physician arrives; it is well to place a small block of wood, a stone or folded cloth on the artery under the bandage before twisting; if the wound is on the head the scalp should be pressed down around the wound with the fingers until the artery is located and then a stone or any small hard article should be placed on the artery and the bandage bound; if the wound is on the body pressure should always be exerted in the wound itself with the fingers and then bandaged; if the wound is on the neck the fingers alone can be

used and no attempt should be made to use a pad. If the blood flows from the wound in a slow regular stream a vein has been pierced and the bandage should be placed in the same way as in the case of an artery, but in this case on the far side of the wound from the heart; the important thing is to stop the bleeding and it is well to elevate or lift up the wounded part, if it can be done.

Bruises. If slight, a cold application in the form of wet cloths should be applied, but if severe, cloths wrung out in hot water should be applied.

Burns and Scalds. Do not let the water out of the blisters nor tear clothing stuck to the skin. Cut around the part of clothing that is adherent and soak the adherent clothing with any of the solutions hereafter mentioned until it may be removed without damaging the skin. A strong solution of bicarbonate of soda or a mixture of equal parts of olive or linseed oil and lime water known as carron oil should be applied to the skin by means of lint, clean linen, absorbent cotton or muslin saturated with the same which should be firmly but not tightly bandaged on the skin.

Convulsions or Fits. Keep the patient from injuring himself, particularly his head. Insert a piece of folded cloth, small stick or other convenient object between the teeth to prevent injury to the tongue. Turn the face to one side so the tongue will not drop into the throat and obstruct the breathing. Do not give patient whiskey or any other stimulant.

Drowning. Send at once for blankets and warm clothing and immediately get the tongue forward, the water out and air in the lungs by putting your

finger well to the back of the throat and cleaning out any mud, weeds, etc. Turn the patient downwards and raise the middle of the body by clasping your hands around the waist keeping it elevated a few seconds to allow all water to drain out of the throat and lungs, then turn the patient on his back, pull the tongue forward by grasping it with a dry cloth. The tongue should be so held by a bystander if available. Then raise the shoulders and put a pad of clothing beneath them, kneel on both knees about six inches from the patient's head, catching. hold of the arms immediately below the elbows and press them firmly against the sides and front of his chest, slowly and steadily pulling them up over the head making the elbows almost touch the ground, the effect of which is to pull upon the chest walls on each side to expand the lungs and allow the air to enter. Continue this at about the rate of sixteen times a minute. While this is being done, some one should rub the lower limbs vigorously upwards to assist the circulation of the blood. The wet clothing should be removed at once and dry warm clothing applied. Do not stop this too soon as vigorous and persistent treatment continued often resuscitates drowned persons for whose recovery all hope has been abandoned.

Electrical Shock. The same treatment for the purpose of bringing about breathing should be given as in cases of drowning.

Fainting. Patient should be placed flat on his back with the head lower than the feet and given plenty of fresh air. Tight clothing should be loosened and the face sprinkled with cold water. A glass of wine or cup of coffee when consciousness has begun to return will assist in strengthening the patient.

Fracture. A physician should be immediately sent for and bleeding stopped as heretofore directed. The patient should be placed in a comfortable position and the injured part supported upon a pillow or pad. In case of a fractured leg it should be wrapped in a blanket and a cane or stick should be placed alongside of the same and tied above and below the fracture to the leg. While the body is lifted or handled there should be a gentle but firm tension upon the muscles of the limbs injured; that is, the arm or leg, as the case may be, should be taken by the hand or foot and pulled sufficiently hard from the body as to prevent the fractured bone from protruding through the flesh.

Freezing. The frozen part should be rubbed with snow or cold water until the white color is replaced by a natural color and an aching pain is felt in such part. Then treatment should be given as in the case of a burn.

Poison by Gas. Patient should at once be given fresh air and the clothing around the neck and chest loosened. The body should be kept warm and if breathing has ceased the same treatment should be given as in the case of drowning.

Shock. Patient should be placed on his back with the head slightly lower than the rest of the body, the clothing should be loosened and the body and limbs rubbed and hot bricks, stones or similar objects should be applied to the body and limbs. Hot coffee may be properly given the patient.

Scalds. See Burns.

Sprains and Dislocation. Physicians should be immediately sent for and patient placed in a com-

fortable position with the injured part supported by a pillow or pad and the joint surrounded with hot objects.

Stunning. Caused by blows or falls upon the head and falls upon feet or the lower part of the spine should be treated in the same way as in the case of a shock except that the head should be kept cool by application of wet cloths, or preferably bags of chopped ice. The head should be somewhat raised and patient allowed to sleep. Stimulating drinks should not be given.

Suffocation by Smoke. Stimulants should not be given the patient and he should be removed to the open air and breathing induced in the same manner as in the case of drowning.

Sun Stroke. Different treatment should be given when the face is red than when the face is pale. When the face is red the skin is hot and dry, the breathing is quick and noisy and the heart is rapid and tumultuous. In this case the patient should be placed on his back with his head raised in the coolest immediate spot. All the clothing should be removed and a stream of cold water should be poured on the body from four or five feet above the same, first on the head then on the chest and abdomen and lastly on the extremities. Water should be poured in this order until the patient regains consciousness and the treatment should be renewed if the symptoms again arise. Stimulants should be avoided. In the case of a pale face the skin is cool, the breathing is sighing or gasping and the pulse is rapid and hardly perceptible. In this case cold applications must not be given but warmth should be applied and the body wrapped in blankets.

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